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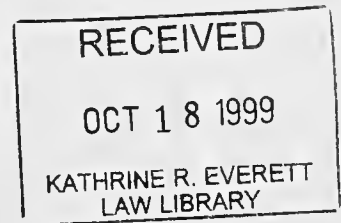
NORTH CAROLINA REGISTER

VOLUME 14 • ISSUE 8 • Pages 574 - 654

October 15, 1999

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Architecture
Commerce
Dental Examiners
Environment and Natural Resources
Health and Human Services
Insurance
Nursing Home Administrators
Professional Engineers & Professional Land Surveyors
Refrigeration Examiners
Secretary of State
Contested Case Decisions



PUBLISHED BY

*The Office of Administrative Hearings
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For those persons that have questions or concerns regarding the Administrative Procedure Act or any of its components, consult with the agencies below. The bolded headings are typical issues which the given agency can address, but are not inclusive.

Rule Notices, Filings, Register, Deadlines, Copies of Proposed Rules, etc.

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Rules Review Commission

1307 Glenwood Ave., Suite 159

(919) 733-2721

Raleigh, North Carolina 27605

(919) 733-9415 FAX

contact: Joe DeLuca Jr., Staff Director Counsel

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Legislative Process Concerning Rule-making

Joint Legislative Administrative Procedure Oversight Committee

545 Legislative Office Building

300 North Salisbury Street

(919) 733-2578

Raleigh, North Carolina 27611

(919) 715-5460 FAX

contact: Mary Shuping, Staff Liaison

marys@ms.ncga.state.nc.us

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NC Association of County Commissioners

215 North Dawson Street

(919) 715-2893

Raleigh, North Carolina 27603

contact: Jim Blackburn or Rebecca Troutman

NC League of Municipalities

215 North Dawson Street

(919) 715-4000

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contact: Paula Thomas



**Volume 14, Issue 8
Pages 574 - 654**

October 15, 1999

This issue contains documents officially filed
through September 24, 1999.

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The North Carolina Administrative Code (NCAC) has four major subdivisions of rules. Two of these, titles and chapters, are mandatory. The major subdivision of the NCAC is the title. Each major department in the North Carolina executive branch of government has been assigned a title number. Titles are further broken down into chapters which shall be numerical in order. The other two, subchapters and sections are optional subdivisions to be used by agencies when appropriate.

TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

TITLE	DEPARTMENT	LICENSING BOARDS	CHAPTER
1	Administration	Acupuncture	1
2	Agriculture	Architecture	2
3	Auditor	Athletic Trainer Examiners	3
4	Commerce	Auctioneers	4
5	Correction	Barber Examiners	6
6	Council of State	Certified Public Accountant Examiners	8
7	Cultural Resources	Chiropractic Examiners	10
8	Elections	Employee Assistance Professionals	11
9	Governor	General Contractors	12
10	Health and Human Services	Cosmetic Art Examiners	14
11	Insurance	Dental Examiners	16
12	Justice	Dietetics/Nutrition	17
13	Labor	Electrical Contractors	18
14A	Crime Control & Public Safety	Electrolysis	19
15A	Environment and Natural Resources	Foresters	20
16	Public Education	Geologists	21
17	Revenue	Hearing Aid Dealers and Fitters	22
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NORTH CAROLINA REGISTER

Publication Schedule

(April 1999 - January 2000)

FILING DEADLINES			NOTICE OF RULE-MAKING PROCEEDINGS		NOTICE OF TEXT (either column A or column B)						TEMPORARY RULE	
volume and issue number	issue date	last day for filing	earliest register issue for publication of text	earliest date for public hearing	A. non-substantial economic impact			B. substantial economic impact			270 th day from issue date	
					end of required comment period	deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session	end of required comment period	deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session		
13:19	04/01/99	03/11/99	06/01/99	04/16/99	05/03/99	05/20/99	05/09/00	05/31/99	06/21/99	05/09/00	12/27/99	
13:20	04/15/99	03/24/99	06/15/99	04/30/99	05/17/99	05/20/99	05/09/00	06/14/99	06/21/99	05/09/00	01/10/00	
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EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2C .0302 and the Rules of Civil Procedure, Rule 6.

GENERAL	FILING DEADLINES	NOTICE OF RULE-MAKING PROCEEDINGS	NOTICE OF TEXT
<p>The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:</p> <ol style="list-style-type: none"> (1) temporary rules; (2) notices of rule-making proceedings; (3) text of proposed rules; (4) text of permanent rules approved by the Rules Review Commission; (5) notices of receipt of a petition for municipal incorporation, as required by G.S. 120-165; (6) Executive Orders of the Governor; (7) final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H; (8) orders of the Tax Review Board issued under G.S. 105-241.2; and (9) other information the Codifier of Rules determines to be helpful to the public. 	<p>ISSUE DATE: The Register is published on the first and fifteen of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month closest to (either before or after) the first or fifteenth respectively that is not a Saturday, Sunday, or holiday for State employees.</p> <p>LAST DAY FOR FILING: The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.</p>	<p>END OF COMMENT PERIOD TO A NOTICE OF RULE-MAKING PROCEEDINGS: This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published.</p> <p>EARLIEST REGISTER ISSUE FOR PUBLICATION OF TEXT: The date of the next issue following the end of the comment period.</p>	<p>EARLIEST DATE FOR PUBLIC HEARING: The hearing date shall be at least 15 days after the date a notice of the hearing is published.</p> <p>END OF REQUIRED COMMENT PERIOD (1) RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule for at least 30 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer. (2) RULE WITH SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.</p> <p>DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION: The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.</p> <p>FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY: This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3, Effective date of rules.</p>

COMPUTING TIME: In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.

**EXECUTIVE ORDER NO. 159
EMERGENCY RELIEF FOR DAMAGE
CAUSED BY HURRICANE FLOYD**

WHEREAS, I have proclaimed that a state of emergency and threatened disaster exists in North Carolina due to Hurricane Floyd; and

WHEREAS, the North Carolina Department of Transportation has declared a State emergency justifying an exemption from 49 C.F.R. 390-397 (Federal Motor Carrier Safety Regulations); and

WHEREAS, under the provisions of N.C.G.S. 166A-4(3) and 166A-6(c)(3), the Governor, with the concurrence of the Council of State, may regulate and control the flow of vehicular traffic and the operation of transportation services; and

WHEREAS, with the concurrence of the Council of State, I have found that if vehicles bearing food, equipment, and supplies to relieve our hurricane-stricken counties must adhere to the registration requirements of N.C.G.S. 20-86.1 and 20-382, fuel tax requirements of N.C.G.S. 105-449.47, and the size and weight requirements of N.C.G.S. 20-116 and N.C.G.S. 20-118 citizens in those counties will likely suffer losses and, therefore, invoke an imminent threat of widespread damage within the meaning of N.C.G.S. 166-A-4(3);

NOW, THEREFORE, pursuant to the authority vested in me as Governor by the Constitution and the laws of the State of North Carolina, and with the concurrence of the Council of State, IT IS ORDERED:

Section 1. The Division of Motor Vehicles shall waive certain size and weight restrictions and penalties therefore arising under N.C.G.S. 20-116 and N.C.G.S. 20-118, and certain registration requirements and penalties therefore arising under N.C.G.S. 20-86.1, 20-382, 105-449.47, 105-449.49 for vehicles transporting food, equipment, and supplies along our highways to North Carolina's hurricane-stricken counties.

Section 2. Notwithstanding the waivers set forth above, size and weight restrictions and penalties have not been waived under the following conditions:

- (A) When the vehicle weight exceeds the maximum gross weight criteria established by the manufacturer (GVWR) or 90,000 pounds gross weight, whichever is less.
- (B) When the tandem axle weight exceeds 42,000 pounds and the single axle weight exceeds 22,000 pounds.
- (C) When a vehicle/vehicle combination exceeds 12 feet in width and a total overall vehicle combination length of 75 feet from bumper to bumper.

Section 3. Vehicles referenced under section 1 shall be exempt from the following registration requirements:

- (A) The \$50.00 fee listed in N.C.G.S. 105-449.49 for a

temporary trip permit is waived for the vehicles described above. No quarterly fuel tax is required because the exception in N.C.G.S. 105-449.45(a)(1) applies.

- (B) The registration requirement under N.C.G.S. 20-382 concerning intrastate and interstate for-hire authority is waived; however, vehicles shall maintain the required limits of insurance.
- (C) Non-participants in North Carolina's International Registration Plan will be permitted into North Carolina in accordance with the spirit of the exemptions identified by this Executive Order.

Section 4. The size and weight exemption for vehicles will be allowed on all routes designated by the North Carolina Department of Transportation, except those routes designated as light traffic roads under N.C.G.S. 20-118. This order shall not be in effect on bridges posted pursuant to N.C.G.S. 136-72.

Section 5. The waiver of regulations under 49 C.F.R. 390-397 (Federal Motor Carrier Safety Regulations) does not apply to the CDL and Insurance Requirements. This waiver shall be in effect for 15 days or for the duration of the emergency, whichever is less.

Section 6. The North Carolina Department of Transportation shall enforce the conditions set forth in Sections 1, 2, and 3 in a manner which would best accomplish the implementation of this rule without endangering motorists in North Carolina.

Section 7. Upon request, exempted vehicles will be required to produce identification sufficient to establish that its load will be used for emergency relief efforts associated with Hurricane Floyd.

This Executive Order is effective immediately and shall remain in effect for thirty (30) days.

Done in the Capital City of Raleigh, North Carolina this 15th day of September, 1999.

**EXECUTIVE ORDER NO. 160
PSYCHOLOGISTS AND SOCIAL WORKERS
LICENSED OR CERTIFIED OUT OF STATE
PERMITTED TO PROVIDE CRISIS COUNSELING
FOR VICTIMS OF HURRICANE FLOYD**

WHEREAS, Hurricane Floyd has had a devastating impact on the State of North Carolina; and,

WHEREAS, the American Red Cross is able to provide qualified psychologists and social workers licensed or certified outside the State of North Carolina to assist victims of Hurricane Floyd, and disaster relief workers, with crisis counseling; and,

WHEREAS, the provision of these psychologists and social workers would be of great value to those in need of such services; and,

WHEREAS, the North Carolina General Statutes and the North Carolina Administrative Code impose certain licensure requirements on out of state psychologists and certification requirements on social workers; and,

WHEREAS, to gain the full benefit of the services to be provided, there is a need to temporarily suspend these requirements.

NOW, THEREFORE, pursuant to the authority vested in me as Governor by the Constitution and laws of this State, IT IS ORDERED:

Section 1. Psychologists licensed outside the State of North Carolina provided by the American Red Cross for the provision of crisis counseling to North Carolina victims of Hurricane Floyd, including disaster relief workers, shall be permitted to engage in the practice of psychology in this State, for the limited purposes expressed herein and on a voluntary basis only, for the duration of this Executive Order.

Section 2. Psychologists subject to this Executive Order shall be exempt from the licensure requirements of the North Carolina Psychology Practice Act (North Carolina General Statutes Chapter 90, Article 18A) and any related Administrative Rules within the North Carolina Administrative Code.

Section 3. Social workers licensed outside the State of North Carolina provided by the American Red Cross for the provision of crisis counseling to North Carolina victims of Hurricane Floyd, including disaster relief workers, shall be permitted to provide crisis intervention, problem management, case management, and general counseling, for the limited purposes expressed herein and on a voluntary basis only, for the duration of this Executive Order.

Section 4. Social workers subject to this Executive Order shall be exempt from the certification requirements of the North Carolina Social Worker Certification Act (North Carolina General Statutes Chapter 90B) and any related Administrative Rules within the North Carolina Administrative Code.

This Executive Order is effective immediately and shall remain in effect for thirty days from the date provided below.

Done in the Capital City of Raleigh, North Carolina, this 16th day of September, 1999.

**EXECUTIVE ORDER NO. 161
REQUEST FOR MUNICIPALITIES AND COUNTIES**

**TO PROVIDE MUTUAL AID AND ASSISTANCE
IN HURRICANE FLOYD RELIEF AND RECOVERY
EFFORTS**

WHEREAS, I have proclaimed that a state of emergency and disaster exists in North Carolina due to Hurricane Floyd; and,

WHEREAS, the North Carolina Emergency Management Act (Chapter 166A of the North Carolina General Statutes) permits the use of services, equipment, supplies, facilities, officers and personnel of political subdivisions across the state for emergency management purposes; and,

WHEREAS, the state and all municipalities and counties throughout North Carolina must work together in this time of disaster to aid and assist those in great need of help; and,

WHEREAS, to facilitate a coordinated, effective relief and recovery effort among all municipalities and counties, this order is executed.

NOW, THEREFORE, pursuant to the authority vested in me as Governor by the Constitution and laws of the State of North Carolina, IT IS ORDERED:

Section 1. All municipalities and counties throughout North Carolina, acting through duly authorized officers and personnel, are requested to apply all readily available officers and personnel, services, equipment, supplies and facilities toward Hurricane Floyd relief and recovery efforts.

Section 2. All municipalities and counties either in need of, or desirous of providing, aid and assistance shall coordinate through the State of North Carolina Division of Emergency Management and county emergency management officials.

Section 3. Those municipalities and counties which provide or receive aid and assistance under this executive order, and the North Carolina Division of Emergency Management, shall be subject to the terms and conditions within the "North Carolina Statewide Emergency Management Mutual Aid and Assistance Agreement" (October, 1997 revised version), a copy of which is attached hereto and incorporated herein by reference.

Section 4. This executive order is effective immediately, and shall remain in effect until rescinded.

Done in the Capital City of Raleigh, North Carolina, this the 19th day of September, 1999.

U.S. Department of Justice

Civil Rights Division

JDR:DHH:AJF:lrj:jdh
DJ 166-012-3
99-1824 Washington, D.C. 20035-6128

Voting Section
PO Box 66128

September 7, 1999

Albert M. Benshoff, Esq.
City Attorney
P.O. Box 1388
Lumberton, North Carolina 28359

Dear Mr. Benshoff:

This refers to the six annexations (Ordinance Nos. 1705, 1707, 1712, 1713, 1725, and 1728 (1999)) and their designations to Districts 1, 2, 3, 7, and 8 for the City of Lumberton in Robeson County, North Carolina, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submission on July 8, 1999.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

Sincerely,

Joseph D. Rich
Acting Chief
Voting Section

A Notice of Rule-making Proceedings is a statement of subject matter of the agency's proposed rule making. The agency must publish a notice of the subject matter for public comment at least 60 days prior to publishing the proposed text of a rule. Publication of a temporary rule serves as a Notice of Rule-making Proceedings and can be found in the Register under the section heading of Temporary Rules. A Rule-making Agenda published by an agency serves as Rule-making Proceedings and can be found in the Register under the section heading of Rule-making Agendas. Statutory reference: G.S. 150B-21.2.

TITLE 4 - DEPARTMENT OF COMMERCE

**CHAPTER 21 - OFFICE OF INFORMATION
TECHNOLOGY SERVICES (ITS)**

Notice of Rule-making Proceedings is hereby given by the Secretary for the Department of Commerce in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 4 NCAC 21

Authority for the rule-making: G.S. 143B-472.50; 143B-472.65

Statement of the Subject Matter: To adopt rules to implement procurement responsibility for the state's information technology assets.

Reason for Proposed Action: Senate Bill 222 enacted to provide for acquisition of information technology assets in conformity with G.S. 143-135.9. The agency's intent is to adopt temporary rules effective January 1, 2000.

Comment Procedures: Written comments may be directed to: Mike Mangum, ITS/Department of Commerce, PO Box 17209, Raleigh, NC 27619-7209.

TITLE 11 - DEPARTMENT OF INSURANCE

**CHAPTER 8 - ENGINEERING AND BUILDING CODES
DIVISION**

Notice of Rule-making Proceedings is hereby given by the NC Home Inspector Licensure Board and the NC Department of Insurance in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 11 NCAC 8.1100, .1300. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 143-151.49

Statement of the Subject Matter: To update Standards of Practice rules (11 NCAC 8 .1100); and to develop a more comprehensive continuing education program (11 NCAC 8.1300).

Reason for Proposed Action: Standards of Practice rules need to be updated; recent legislation requires a more comprehensive continuing education program.

Comment Procedures: Written comments should be sent to Grover Sawyer, Home Inspector Licensure Board, NC Department of Insurance, 410 N. Boylan Avenue, Raleigh, NC 27603. Anyone having questions should contact Grover Sawyer at (919) 733-3901.

**TITLE 15A - DEPARTMENT OF ENVIRONMENT AND
NATURAL RESOURCES**

**CHAPTER 10 - WILDLIFE RESOURCES AND WATER
SAFETY**

Notice of Rule-making Proceedings is hereby given by the NC Wildlife Resources Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 15A NCAC 10B .0100, .0200; 10C .0200, .0300, .0400, .0500; 10D .0100; 10F .0327, .0332, .0336. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 75A-3; 75A-15; 113-132; 113-134; 113-138; 113-264; 113-270; 113-272; 113-273; 113-274; 113-276; 113-291; 113-292; 113-297; 113-300; 113-302; 113-304; 113-305; 113-306; 113-307; 113-331; 113-333; 113-334; 113-337.

Statement of the Subject Matter:

15A NCAC 10B .0100, .0200 - Set/Amend Hunting and Trapping Regulations.

15A NCAC 10C .0200, .0300, .0400, .0500 - Set/Amend Inland Fishing Regulations including General Regulations, Game Fish, Nongame Fish and Primary Nursery Areas.

15A NCAC 10D .0100 - Set/amend Game Lands Regulations including General Regulations regarding Use and Hunting on Game Lands.

15A NCAC 10F .0327, .0332 .0336 - No Wake Zones

15A NCAC 10F .0336 - No Wake Zones

Reason for Proposed Action:

15A NCAC 10B .0100, .0200 - To set/amend hunting and trapping regulations, seasons and bag limits, which are necessary to manage and conserve the resource.

15A NCAC 10C .0200, .0300, .0400, .0500 - To set/amend inland fishing regulations, size and creel limits, and primary nursery areas which are necessary to manage and conserve the resource.

15A NCAC 10D .0100 -To set/amend seasons and regulate manner of hunting on game lands, which are necessary to manage and conserve the resource.

15A NCAC 10F .0327, .0332 - The Montgomery County and Alexander County Board of Commissioners initiated the no-wake zones pursuant to G.S. 75A-15 to protect public safety in the area by restricting vessel speed. The Wildlife Resources Commission may adopt this rule as a temporary rule pursuant to G.S. 150B-21.1(a1) following this abbreviated notice.

15A NCAC 10F .0336 - The North Carolina Wildlife Resources Commission initiated the no-wake zone pursuant to G.S. 75A-15 to protect the public safety in the area by restricting vessel speed. The Wildlife Resources Commission may adopt this rule as a temporary rule pursuant to G.S. 150B-21.1(a1) following this abbreviated notice.

Comment Procedures: The record will be open for receipt of written comments. Such written comments must be delivered or mailed to the North Carolina Wildlife Resources Commission, 512 N. Salisbury Street, Raleigh, NC 27604-1188.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

CHAPTER 2 - NORTH CAROLINA BOARD OF ARCHITECTURE

Notice of Rule-making Proceedings is hereby given by the NC Board of Architecture in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 21 NCAC 2 .0206, .0303. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 83A-6; 83A-11

Statement of the Subject Matter: 21 NCAC 2 .0206 is proposed to be amended to allow digital seals and signatures on plans and specifications for use in this State. 21 NCAC 2 .0303 is proposed to be amended to allow alternative means of obtaining a license to practice architecture by reciprocity.

Reason for Proposed Action:

21 NCAC 2 .0206 - The Board has received requests from other

state and local government agencies to permit the electronic transfer of architectural plans and other data. The Board believes that the use of digital seals and signatures is secure technology and will streamline and expedite the transfer and review process. 21 NCAC 2 .0303 - The Board has received requests from individuals who do not qualify for a license under the current rule to consider an alternative method of granting a license by reciprocity.

Comment Procedures: Written comments on the subject matter of the proposed rule-making may be submitted to Kathleen Hansinger, Executive Director, North Carolina Board of Architecture, 127 W. Hargett Street, Suite 304, Raleigh, NC 27601.

CHAPTER 37 - BOARD OF NURSING HOME ADMINISTRATORS

Notice of Rule-making Proceedings is hereby given by the NC State Board of Examiners for Nursing Home Administrators in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 21 NCAC 37D .0302-.0303, .0403, .0502, .0504, .0605, .0701; 37E .0101-.0102; 37F .0101-.0102; 37G .0201-.0202; 37H .0102, .0104; 37I .0101. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 90-278; 90-279; 90-280; 90-285; 90-286; 90-287; 150B-40(e)

Statement of the Subject Matter: These rules clarify requirements for the AIT and Preceptor programs; National and State examinations; reciprocal, temporary and inactive licenses and fees, and the continuing education program.

Reason for Proposed Action: Defines supervisory experience; clarifies requirements for the AIT program and Preceptor responsibilities; clarifies National and State Examination requirements and passing scores; increases reciprocal application fees; sets forth additional conditions for issuance of temporary licenses; sets forth changes regarding inactive license status and allows continuing education credit for service as a preceptor.

Comment Procedures: Written comments may be addressed to Jane Baker, Executive Director, 3733 National Drive, Suite 228, Raleigh, NC 27612.

CHAPTER 56 - BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Notice of Rule-making Proceedings is hereby given by the NC Board of Examiners for Engineers and Surveyors in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 21 NCAC 56

Authority for the rule-making: G.S. 89C-10(a)

Statement of the Subject Matter: Board Rules for Professional Engineers and Professional Land Surveyors

Reason for Proposed Action: To incorporate legislative changes in the Board name, terminology, definition of land surveying, fees, the addition of standards of practice for Photogrammetry as a part of the practice of Land Surveying, and Board changes to rules including revisions to the requirements for GIS/LIS surveys, standards of practice for land surveying and continuing professional competency.

Comment Procedures: Submit comments in writing to the Rule-making Coordinator, David S. Tuttle, Board Counsel, NC Board of Examiners for Engineers and Land Surveyors, 310 W. Millbrook Road, Raleigh, NC 27609.

CHAPTER 60 - BOARD OF REFRIGERATION EXAMINERS

Notice of Rule-making Proceedings is hereby given by the State Board of Refrigeration Examiners in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 21 NCAC 60 .0102, .0207, .0311, .1102. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 87-52; 87-58; 87-59; 87-62

Statement of the Subject Matter: Office of the Board, Requirements for Examination Applicants, Permits, Preferring Charges.

Reason for Proposed Action: Changes the street address of the Board, clarifies the definition of general supervision, requires licensees to notify the Board of address changes, sets out some

specific circumstances under which applications for examination or licensure may be denied, and clarifies the procedure for preferring charges against refrigeration contractors.

Comment Procedures: Comments may be submitted in writing to Barbara H. Hines, Executive Director, PO Box 10666, Raleigh, NC 27605.

TITLE 26 - OFFICE OF ADMINISTRATIVE HEARINGS

CHAPTER 1 - GENERAL

CHAPTER 2 - RULES DIVISIONS

CHAPTER 3 - HEARINGS DIVISIONS

Notice of Rule-making Proceedings is hereby given by the Office of Administrative Hearings in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 26 NCAC, Chapters 1, 2, and 3. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 7A-751(a); 150B-21.19; 150B-21.25

Statement of the Subject Matter: Rules adopted by the Office of Administrative Hearings that govern the requirements and procedure for carrying out its statutory functions as it relates to contested cases and publication of the NC Register and Code.

Reason for Proposed Action: To adopt, amend, or repeal rules relating to or affected by the following considerations: cost for copies obtained from OAH; format of rules and any other provisions that are affected by OAH converting the Register and Code database from WordPerfect to Word; cost of electronic and email subscriptions to the Register; acceptance of filings via email and facsimile transmission and to conform attorney leave in OAH to that recently provided in General Court of Justice. OAH will also consider any other rules relating to utilizing new technology in carrying out its functions.

Comment Procedures: All written comments should be directed to Joey Propst, Rulemaking Coordinator, OAH, 424 N. Blount Street, Raleigh, NC 27601; or faxed to 919-733-3462.

This Section contains the text of proposed rules. At least 60 days prior to the publication of text, the agency published a Notice of Rule-making Proceedings. The agency must accept comments on the proposed rule for at least 30 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. The required comment period is 60 days for a rule that has a substantial economic impact of at least five million dollars (\$5,000,000). Statutory reference: G.S. 150B-21.2.

**TITLE 15A - DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES**

**SUBCHAPTER 10F - MOTORBOATS AND WATER
SAFETY**

**SECTION .0300 - LOCAL WATER SAFETY
REGULATIONS**

Notice is hereby given in accordance with G.S. 150B-21.2 that the NC Wildlife Resources Commission intends to amend the rule cited as 15A NCAC 10F .0333, .0339, .0355. Notice of Rule-making Proceedings was published in the Register on June 1, 1999 for 15A NCAC 10F .0339; July 15, 1999 for 15A NCAC 10F .0333; August 16, 1999 for 15A NCAC 10F .0355.

Proposed Effective Date: July 1, 2000

A Public Hearing will be conducted at 10:00 a.m. on November 15, 1999 at the Archdale Building, Room 332, 512 N. Salisbury Street, Raleigh, NC 27603.

Reason for Proposed Action:

15A NCAC 10F .0333 - The Lake Wylie Marine Commission initiated the no-wake zones pursuant to G.S. 75A-15, to protect public safety in the area by restricting vessel speed.

15 NCAC 10F .0339 - The McDowell County Board of Commissioners initiated the no-wake zones pursuant to G.S. 75A-15, to protect public safety in the area by restricting vessel speed. Subparagraph (a)(14) shown in bold was approved by the Rules Review Commission on August 19, 1999 and is waiting for the Session of the General Assembly starting in May, 2000.

15A NCAC 10F .0355 - The Perquimans County Board of Commissioners initiated the no-wake zones pursuant to G.S. 75A-15, to protect public safety in the area by restricting vessel speed.

The Wildlife Resources Commission may adopt this as a temporary rule pursuant to G.S. 150B-21.1(a1) following the abbreviated notice as indicated in the Notice of Rule-making Proceedings or following the public hearing and public comment period as indicated in this Notice.

Comment Procedures: Interested persons may present their views either orally or in writing at the hearing. In addition, the record of hearing will be open for receipt of written comments through November 19, 1999. Such written notice must be delivered or mailed to the NC Wildlife Resources Commission, 512 N. Salisbury Street, Raleigh, NC 27604-1188.

Fiscal Impact

State	Local	Sub.	None
	✓		

**CHAPTER 10 - WILDLIFE RESOURCES AND
WATER SAFETY**

.0333 MECKLENBURG AND GASTON COUNTIES

(a) Regulated Areas. This Rule applies only on that portion of the to the following waters of Lake Wylie in which lies within the boundaries of Mecklenburg and Gaston Counties; and to the restricted zones indicated by Paragraphs (b), (c), (d), (e), (f), (g), (h), (i), and (j) of this Rule on such waters:

- (1) McDowell Park - The waters of the coves adjoining McDowell Park and the Southwest Nature Preserve in Mecklenburg County, including the entrances to the coves on either side of Copperhead Island.
- (2) Gaston County Wildlife Club Cove - The waters of the cove at the Gaston County Wildlife Club on South Point Peninsula in Gaston County.
- (3) Buster Boyd Bridge - The areas 250 feet to the north and 150 feet to the south of the Buster Boyd Bridge.
- (4) Highway 27 Bridge - The area beginning 50 yards north of the NC 27 Bridge and extending 50 yards south of the southernmost of two railroad trestles immediately downstream from the NC 27 Bridge.
- (5) Brown's Cove - The area beginning at the most narrow point of the entrance to Brown's Cove and extending 250 feet in both directions.
- (6) Paradise Point Cove - The waters of the Paradise Point Cove between Paradise Circle and Lakeshore Drive as delineated by appropriate markers.

(b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no-wake speed within 50 yards of any public boat-launching ramp in Mecklenburg County.

(c) Speed Limit Near Piers. No person shall operate a vessel at greater than no-wake speed limit within 50 yards of any pier operated by Mecklenburg County for public use.

(d) Speed Limit at McDowell Park. No person shall operate a vessel at greater than no-wake speed on the waters of the coves adjoining McDowell Park and the Southwest Nature Preserve in Mecklenburg County, including the entrances to the coves on either side of Copperhead Island.

(e) Speed Limit at Gaston County Wildlife Club Cove. No person shall operate a vessel at greater than no-wake speed on the waters of the cove at the Gaston County Wildlife Club on South Point Peninsula in Gaston County.

(f) (d) Speed Limit in Mooring Areas. No person shall operate a vessel at greater than no-wake speed while within a marked mooring area established in Mecklenburg County with the approval of the Executive Director, or his representative.

(g) Speed Limit. No person shall operate a vessel at greater

than no-wake speed within any of the regulated areas described in Paragraph (a) of this Rule.

(g) (f) **Restricted Swimming Areas.** No person operating a vessel shall permit it to enter any marked swimming area established in Mecklenburg County with the approval of the Executive Director, or his representative.

(h) (g) **Speed Limit Near Boating Facilities.** No person shall operate a vessel at greater than no-wake speed within 50 yards of any boat launching ramp, dock, pier, marina, boat storage structure or boat service area on that part of Lake Wylie, including the South Fork River arm, which is located in Gaston County.

(i) No person shall operate a vessel at greater than no-wake speed within the area 250 feet to the north and 150 feet to the south of the Buster Boyd Bridge on Lake Wylie.

(j) **Speed Limit Near Highway 27 Bridge.** No person shall operate a vessel at greater than no-wake speed beginning 50 yards north of the NC 27 Bridge and extending 50 yards south of the southernmost of two railroad trestles immediately downstream from the NC 27 Bridge.

(k) (h) **Placement and Maintenance of Markers.** The Boards of Commissioners of Mecklenburg County and Gaston County are designated suitable agencies for placement and maintenance of markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers. With regard to marking the restricted zones indicated in this Rule, all of the supplementary standards listed in Rule .0301(g) of this Section shall apply.

Authority G.S. 75A-3; 75A-15.

.0339 MCDOWELL COUNTY

(a) **Regulated Areas.** This Rule applies to the following waters located on Lake James in McDowell County:

- (1) that area adjacent to the shoreline of the McDowell Wildlife Club property;
- (2) that area adjacent to the shoreline of the Marion Moose Club property;
- (3) that area known as Morgan Cove;
- (4) that area within 50 yards of the shoreline at the New Manna Baptist Youth Camp;
- (5) that area within 50 yards of the shoreline at Burnett's Landing;
- (6) the cove area adjacent to the State Park swimming area;
- (7) the cove area adjacent to the State Park picnic area and dock;
- (8) that area within 50 yards of camping areas in the Lake James State Park as designated by the appropriate markers;
- (9) that area within 50 yards of the boat launching ramp at the Marion Lake Club;
- (10) that area within 50 yards in either direction from the marina docks in Plantation Point Cove;
- (11) that designated area of Goodman's Landing Cove within 50 yards of the swimming area and boat docks of Goodman's Campground;
- (12) that area beginning at the rock shoals located at

Deerfield Campground downstream for a distance of approximately 200 yards as delineated by appropriate markers;

- (13) that area as delineated by appropriate markers along the shoreline of the development known as Lakeview Pointe;
- (14) **that area as delineated by appropriate markers at the Waterglyn Subdivison Cove; Cove;**
- (15) **that area as delineated by appropriate markers along the shoreline of the Lakeview Shores Subdivision.**

(b) **Speed Limit.** No person shall operate any motorboat or vessel at greater than no-wake speed within any of the regulated areas described in Paragraph (a) of this Rule.

(c) **Restricted Swimming Areas.** No person operating or responsible for the operation of any vessel, surfboard or waterskis shall permit the same to enter any marked swimming area located on the regulated area.

(d) **Placement and Maintenance of Markers.** The Board of Commissioners of McDowell County is designated a suitable agency for placement and maintenance of the markers implementing this Rule.

Authority G.S. 75A-3; 75A-15.

.0355 PERQUIMANS COUNTY

(a) **Regulated Areas.** This Rule applies to the following waters:

- (1) **Perquimans River: the canals of Holiday Island; River:**
 - (A) The canals of Holiday Island.
 - (B) The area within 50 yards of the Hertford City Boat Ramp.
 - (C) The area within 75 yards of the Perquimans River Bridge on U.S. 17 Business also known as the Hertford S-Shaped Bridge.
- (2) **Perquimans River: within 50 yards of the Hertford City Boat Ramp;**
- (3) **Perquimans River: within 75 yards of the Perquimans River Bridge on U.S. 17 Business also known as the Hertford S-Shaped Bridge;**
- (4) (2) **Yeopim River: within 75 yards of the Albemarle Plantation Marina Piers; River;**
 - (A) The area within 75 yards of the Albemarle Plantation Marina Piers.
 - (B) The area of Beaver Cove as delineated by appropriate markers.

(b) **Speed Limit.** No person shall operate any motorboat or vessel at greater than no-wake speed within the regulated area described in Paragraph (a) of this Rule.

(c) **Placement and Maintenance of Markers.** The Board of Commissioners of Perquimans County is designated a suitable agency for placement and maintenance of markers implementing this Rule.

Authority G.S. 75A-3; 75A-15.

The Codifier of Rules has entered the following temporary rule(s) in the North Carolina Administrative Code. Pursuant to G.S. 150B-21.1(e), publication of a temporary rule in the North Carolina Register serves as a notice of rule-making proceedings unless this notice has been previously published by the agency.

TITLE 2 - DEPARTMENT OF AGRICULTURE

Rule-making Agency: North Carolina Board of Agriculture

Rule Citation: 2 NCAC 52B .0206, .0401-.0412

Effective Date: October 1, 1999

Findings Reviewed and Approved by: Beecher R. Gray

Authority for the rule-making: G.S. 106-307.5; 106-405.17; S.L. 1999-237, s. 13.6

Reason for Proposed Action: Section 13.6 of Session Law 1999-237 requires the Board of Agriculture to adopt rules to provide for mandatory testing of equine for equine infectious anemia (EIA) no later than October 1, 1999.

Comment Procedures: Written comments may be submitted to David S. McLeod, Secretary, NC Board of Agriculture, PO Box 27647, Raleigh, NC 27611.

CHAPTER 52 - VETERINARY DIVISION

SUBCHAPTER 52B - ANIMAL DISEASE

SECTION .0200 - ADMISSION OF LIVESTOCK TO NORTH CAROLINA

.0206 IMPORTATION REQUIREMENTS: EQUINE

(a) Horses, ponies, mules, asses, zebras, and all other equine species may be imported into the state when accompanied by an official health certificate giving an accurate description of them and certifying that as determined by a physical examination they are free from any evidence of an infectious or transmissible disease and have not been exposed recently to any infectious or transmissible disease, and attesting that any animal over nine six months of age has passed a negative official test for equine infectious anemia within 12 months prior to entry, provided that stallions imported into North Carolina from any country where contagious equine metritis (CEM) is recognized by the U.S. Department of Agriculture to exist must also comply with requirements of Paragraph (e) of this Rule. The EIA test form shall list one horse only. Equine without a current EIA test may be imported into the state for direct shipment to a livestock market or equine sale that is approved to provide EIA testing, pursuant to 2 NCAC 52B .0410.

(b) No health certificate will be required for horses, ponies, mules and asses which are consigned to a race track or entering the state temporarily for the purpose of exhibition, provided such

animals are accompanied by certificates verifying a negative test for equine infectious anemia within 12 months prior to entry.

(c) Horses, ponies, mules, asses, and all other equine species may be imported into the state without having passed a negative official test for equine infectious anemia provided that each animal bears a permanent type oil base red paint mark on its loin area with the mark being a minimum of three inches by three inches and that such animals move directly to a point approved by the State Veterinarian for the purpose of sale for slaughter only.

(d) Untested horses which have been paint marked as prescribed in this Section may be moved directly to any sales barn which holds regularly scheduled, advertised sales for slaughter horses.

(e) (c) Any stallion imported into North Carolina from any country where CEM is recognized by the U.S. Department of Agriculture to exist shall be accompanied by a written permit from the State Veterinarian, and shall be placed under quarantine by a representative of the State Veterinarian upon arrival. Prior to being used for breeding, he shall be treated by or under the direct supervision of an accredited veterinarian licensed to practice in North Carolina, according to the procedure prescribed in the Federal Register/Vol. 45, No. 3/Friday, January 4, 1980/Rules and Regulations/Pages 1003 through 1006 (9 C.F.R., Part 92).

(f) (d) For the purpose of Paragraph (e) of this Rule the following shall apply:

- (1) Stallion. A male horse other than gelding;
- (2) Breeding. Natural or artificial insemination of a mare;
- (3) CF test. A complement-fixation test on equine serum for the detection of specific antibodies of the CEM bacterium.

History Note: Authority G.S. 106-307.5; 106-405.17; S.L. 1999-237, s. 13.6;

Eff. April 1, 1984;

Amended Eff. December 1, 1987;

Temporary Amendment Eff. October 1, 1999.

SECTION .0400 - EQUINE INFECTIOUS ANEMIA (EIA)

.0401 DEFINITIONS

The following definitions are in effect throughout Section .0400 of this Subchapter: Section:

- (1) Horse: Equine. Any member of the equine family, including horses, ponies, mules, asses and other equines;
- (2) Reactor. A horse An equine over nine six months of age that reacts positively to an approved test for equine infectious anemia;
- (3) Approved Test. Any test for equine infectious anemia approved by the State Veterinarian; At present, an approved test is one recognized by Veterinary Services, APHIS, USDA;

- (4) Date of Test. Date blood sample is collected from the horse; equine;
- (5) Licensed Accredited Veterinarian. A veterinarian licensed to practice in North Carolina by the North Carolina Veterinary Medical Board; Board and accredited by the USDA;
- (6) Exposed Horse. A horse Equine. An equine which the State Veterinarian or his authorized representative has reasonable grounds to believe has been exposed to equine infectious anemia; A horse An equine shall be considered exposed when in the professional judgment of a state or federally employed, or accredited, veterinarian designated by the State Veterinarian Veterinarian, the horse equine has been exposed; exposed. A premise with premises may be approved by the State Veterinarian for the permanent quarantine of a horse an equine which is positive to an official test for equine infectious anemia when it can be determined that other horses equines will not be exposed to the disease;
- (7) Division. Veterinary Division of the North Carolina Department of Agriculture; Agriculture and Consumer Services;
- (8) Dealer. Any person who buys horses equine for his own account for the purpose of resale, or for the account of others; others;
- (9) Public Place. Any premises owned or operated by any governmental entity, any privately owned or operated premises open to the public, or any privately owned or operated premises where three or more equine originating from three or more premises are gathered.

History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;

Eff. April 1, 1984;

Temporary Amendment Eff. October 1, 1999.

.0402 DISPOSITION OF REACTORS

(a) Any horse which is positive to an approved test for equine infectious anemia shall be placed under permanent quarantine on its home farm or other premise approved by the State Veterinarian, provided the State Veterinarian may authorize the movement of an affected animal to an approved facility for use in research or to state or federal approved slaughter facility. Reactors shall be identified within 30 days of a positive test by a permanent lip tattoo number prescribed by the State Veterinarian at the expense of the owner or by other means of identification acceptable to the State Veterinarian at public expense.

(b) The State Veterinarian will authorize the movement of an affected animal to an approved facility for use in research or to a state or federally approved slaughter facility when in his judgment it can be done without risking the exposure of other animals. Lip tattoos with figures at least one inch high or a brand on the left side of the neck with three inch figures and consisting of 55A followed by an assigned serial number are approved by the State Veterinarian for identifying horses which are positive to an official test for equine infectious anemia.

History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;

Eff. April 1, 1984;

Temporary Repealed Eff. October 1, 1999.

.0403 EXPOSED HORSES

Horses which have been exposed to the disease shall be placed under quarantine until they have passed a negative test for equine infectious anemia following a post exposure interval approved by the State Veterinarian.

History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;

Eff. April 1, 1984;

Temporary Repealed Eff. October 1, 1999.

.0404 REPORT OF TEST RESULTS

All test results shall be reported to the office of the State Veterinarian. Tests conducted at an approved laboratory within the state shall be reported on official forms supplied by the Division. Licensed veterinarians submitting samples for testing in U.S. Department of Agriculture approved laboratories outside of North Carolina shall supply a copy of the test record to the office of the State Veterinarian within five days upon receipt of the test results from the testing laboratory.

History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;

Eff. April 1, 1984;

Temporary Repealed Eff. October 1, 1999.

.0405 FEES FOR BLOOD TEST

(a) A person submitting a blood sample to the Division to be tested for EIA equine infectious anemia (EIA) shall pay a fee of three four dollars (\$3.00) (\$4.00) per sample.

(b) The Division shall not test a blood sample for EIA unless the payment is submitted along with the sample.

History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;

Eff. April 1, 1984;

Amended Eff. April 1, 1985;

Temporary Amendment Eff. October 1, 1999.

.0406 EIA TEST REQUIRED

(a) All equine more than six months of age entering North Carolina for any purpose other than for immediate slaughter shall be accompanied by a copy of the certificate of test from a laboratory approved by the USDA showing the animal to be negative to an approved test for equine infectious anemia (EIA) within the past 12 months, except as provided in 2 NCAC 52B .0410. (See 2 NCAC 52B .0206 for other importation requirements.)

(b) No equine more than six months of age shall be sold, offered for sale, traded, given away, or moved for the purpose of change of ownership unless accompanied by the original official

negative test for EIA administered within 12 months prior to sale or movement, except that equine which are offered for sale at auction markets or sales may have a blood sample drawn at the market by the market's veterinarian at the seller's expense. In such cases, the equine may be sold and transferred contingent upon receipt of an official negative EIA test.

(c) All equine brought to or kept at any public stables or other public place for exhibition, recreation or assembly shall be accompanied by either the original or a copy of an official negative test for EIA administered within the previous 12 months. The owner, operator or person in charge of any public stables or other public place where equine are brought or kept for exhibition, recreation or assembly shall not permit an equine to remain on the premises without the test required by this Rule.

History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;

Temporary Adoption Eff. October 1, 1999.

.0407 TESTING FOR EIA

(a) Equine tested for equine infectious anemia (EIA) must be completely and accurately identified by a licensed, accredited veterinarian, using the official test form provided by the office of the State Veterinarian.

(b) Only one form shall be utilized by the testing veterinarian for each equine to be tested. Any distinctive markings and their location on the animal such as brands, tattoos, stars, snips, stockings, or other markings shall be noted on the official chart.

(c) Equine receiving on-farm or private treaty test shall not be sold or ownership otherwise transferred until the results of the equine infectious anemia test performed on the animal are returned. Positive test results shall automatically result in the quarantine of the animal without further notice at the premises of the owner or where the test was conducted.

(d) All test results shall be reported to the office of the State Veterinarian. Tests conducted at an approved laboratory within the state shall be reported on official forms supplied by the Division. Licensed, accredited veterinarians submitting samples for testing in U.S. Department of Agriculture approved laboratories outside of North Carolina shall supply a copy of the test record to the office of the State Veterinarian within five days upon receipt of the test results from the testing laboratory.

(e) The owner or manager of a market or sale shall announce, prior to the sale or auction, that all equines not accompanied by either the original or a copy of an official negative test for EIA will be tested. Each buyer of such equine at the sale or auction shall sign an agreement to maintain such equine at a specified location until notified of the results of the test. Equine that prove negative to the test may move in normal trade channels. Owners of equine that react to the test must comply with 2 NCAC 52B .0408.

History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;

Temporary Adoption Eff. October 1, 1999.

.0408 POSITIVE REACTORS

(a) Equine testing positive to an approved test for equine

infectious anemia (EIA) may have a confirmatory retest by a representative of the State Veterinarian within 15 days of the initial test. If there is no retest within 15 days from notification, the right to retest is forfeited and the equine shall be euthanized or branded immediately.

(b) If not euthanized, reactors must be branded on the left side of the neck with the characters '55A' and the official reactor number assigned by the Division. The owner of the reactor must submit the equine for branding by a representative of the State Veterinarian within 15 days of the confirmatory test.

(c) A reactor shall be isolated, euthanized or sold for slaughter within seven days of branding. Reactors shall be subject to the following disposition, at the option of the owner:

- (1) With approval of the State Veterinarian or his designated representative, the equine may be sold for slaughter to bona fide slaughter buyers. EIA reactors must be permitted on VS Form 1-27 by a representative of the State Veterinarian for movement from farm to an approved slaughter establishment or research facility when, in the State Veterinarian's judgment, it can be done without risk of exposure of other equine;
- (2) Quarantine of the infected, branded, equine until death in an isolation facility on the owner's premises or elsewhere, approved by an authorized representative of the State Veterinarian. A written quarantine will be issued for each equine. Minimum standards for an approved isolation facility shall be a plot or pasture located a minimum of 880 yards from any other equine enclosure, or other equine, except another known EIA reactor. Owners of infected, branded equine shall not sell, barter, trade or give away these equine except as provided in this Rule.

History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;

Temporary Adoption Eff. October 1, 1999.

.0409 ADJACENT OR EXPOSED EQUINE

When an equine is found positive by an approved equine infectious anemia (EIA) test and an EIA retest by state personnel, all equine on the same premises (farm, pasture, or stable), and all other equine located on adjacent farms, pastures, or stables within 880 yards shall be required to be officially tested by state regulatory personnel or a licensed, accredited veterinarian. All exposed equine, as defined in 2 NCAC 52B .0401(6), shall be quarantined until officially tested and found negative to the EIA test 60 days after removal of the reactor.

History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;

Temporary Adoption Eff. October 1, 1999.

.0410 MARKET AND SALE RESPONSIBILITY

(a) Livestock markets and all others conducting sales of equine shall:

- (1) Send a written request for approval of all sales to the State Veterinarian at least two weeks prior to sale; and

(2) Obtain written approval from the State Veterinarian prior to conducting the sale.

(b) Livestock markets or equine sales offering to provide equine infectious anemia (EIA) testing must employ a licensed, accredited veterinarian, approved by the State Veterinarian.

(c) Livestock markets or sales that have approved, permanent facilities and staff, including an approved licensed, accredited veterinarian, may handle equine that do not have a negative test, provided each such equine is tested as provided in these Rules.

(d) Livestock markets and all others conducting sales of equine shall have check-in procedures, including at least the following:

(1) See that the correct name and mailing address of the owner is on the "check-in" form, along with the license number of the vehicle that transported the animal;

(2) Apply a hacktag or paint number at "check-in" and note it on the "check-in" form;

(3) See that all EIA test records are collected and presented to the market veterinarian or representative of the State Veterinarian for verification prior to the sale.

(e) Equine shall be presented to the market or sale veterinarian if testing is required, and assistance shall be provided for drawing blood samples for the EIA test.

(f) The market or sale management shall maintain records of sales for a minimum of two years, so that animals that react positively to the EIA test may be traced.

(g) Those managing the sale shall not permit the sale of equine on the premises except through the market or sale.

(h) Non-compliance with these Rules is grounds for revocation of approval to conduct sales.

History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;

Temporary Adoption Eff. October 1, 1999.

.0411 MARKET OR SALE VETERINARIANS

(a) Market or sale veterinarians shall:

(1) Collect blood samples of five cubic centimeters in an approved tube with proper identification of each equine presented for test;

(2) Properly identify each equine tested on a Department of Agriculture and Consumer Services form as to name, age, sex, breed, color and markings, brands, tattoos, scars, etc.; and

(3) Mail blood and form to an approved laboratory by the end of the next business day following the sale.

(b) Each market veterinarian involved in the equine infectious anemia (EIA) program shall have a signed approval from the State Veterinarian.

History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;

Temporary Adoption Eff. October 1, 1999.

.0412 SLAUGHTER SALES

Market or sale operators who wish to conduct a sale of equine only for slaughter without EIA testing must obtain prior approval

from the State Veterinarian and sign an agreement to comply with the terms of this Rule and any specific terms that the State Veterinarian may direct.

History Note: Authority G.S. 106-405.17; S.L. 1999-237, s. 13.6;

Temporary Adoption Eff. October 1, 1999.

TITLE 4 - DEPARTMENT OF COMMERCE

Rule-making Agency: North Carolina Department of Commerce

Rule Citation: 4 NCAC 11 .0101, .0102, .0201-.0202, .0301-.0304, .0401-.0405, .0501-.0503, .0601, .0701, .0801

Effective Date: October 6, 1999

Findings Reviewed by Julian Mann III: Agency's Findings for the Temporary rulemaking under G.S. 150B-21.1 was not approved. G.S. 150B-21.1 makes no provision for filing temporary rules based upon expiration of temporary rules.

Authority for the rule-making: G.S. 105-129.3; 143B-437A; 143B-437.1; S.L. 1998-132, S.B. 1354, Sec. 5.1(2)

A Public Hearing will be conducted at 10:00 a.m. on November 2, 1999 at the Conference Room 0536, 5th Floor, Education Building, 301 N. Wilmington Street, Raleigh, NC.

Reason for Proposed Action: For the Industrial Development Fund, rule changes arise from recent additions or changes to the William S. Lee Act; increase in IDF funding, the allowance of 2% of the funds for administration, the addition of Tier Area designations, local government matching requirements specified, editorial changes needed to effect efficient administration of the program.

Comment Procedures: Written comments may be directed to Mary Mae Johnson, Commerce Finance Center, 301 N. Wilmington St., 4318 Mail Service Center, Raleigh, NC 27699-4318.

Fiscal Impact

State	Local	Sub.	None
✓	✓	✓	

CHAPTER 1 - DEPARTMENTAL RULES

SUBCHAPTER 11 - INDUSTRIAL DEVELOPMENT FUND

SECTION .0100 - PURPOSE AND DEFINITIONS

.0101 BACKGROUND AND OBJECTIVES

(a) **BASIC**—The purpose of the North Carolina Industrial Development Fund (also to be known as the Industrial Building

and Renovation Fund) is to assist local town, city or county governments with incentive industrial financing located in the most economically depressed counties in the state: in areas of the state that have been designated as eligible tier areas by NC General Statutes. This assistance will be intended to help those units of government create new jobs by providing financing for the renovation or improvement and expansion of manufacturing or industrial buildings so as to induce "private profit making" entities to occupy, by lease or purchase, and to operate manufacturing or industrial businesses: units of government offer to its new and expanding industry, new or improved infrastructure, or funds for building renovation and equipment in exchange for commitments to create new, full-time jobs in industries currently eligible under NC General Statutes. (The fund is not designed to be used for the acquisition of land and buildings or constructing new buildings.) If the assistance is used for infrastructure, it shall be granted to local governments with no repayment; however, if it is used to purchase equipment or to renovate industrial buildings, then the funds must be repaid. But whether a grant or a loan, the amount of funds to be made available for a project shall be determined by the number of new jobs committed, with a maximum job limit and project limit as currently authorized for the program by NC General Statutes.

(b) The objective of this program will be to provide new full-time jobs for North Carolina citizens. The Department will necessarily determine that the renovations and improvements are a necessary part of the private firms decision to provide the new jobs. If it is determined that the private firm would have (or has already begun to) spend private money to make these renovations and create these jobs, no funds from this program will be expended.

(b) EMERGENCY ECONOMIC DEVELOPMENT ASSISTANCE—This special assistance from the Industrial Development Fund is available to units of government that have, or shall imminently experience, a loss of 500 or more manufacturing jobs in the county, or a number of manufacturing jobs equal to at least ten percent of the manufacturing workforce in the county. Where a unit of government relies on the 500 jobs loss as the threshold for obtaining this special assistance, it must submit convincing evidence that the loss seriously impacts the county's economy, taking into account the county's tier ranking under .0701 of this Subchapter. The funding obtainable under this emergency assistance category shall not necessarily be determined by the number of new jobs to be created, although the project should lead to new jobs, or save jobs, or both, and help alleviate a jobs dislocation problem. The Secretary shall determine the amount of funds for a project, up to the maximum currently authorized for the program by NC General Statutes. This assistance shall be in the form of a low interest loan to the governmental unit, amortized over five years with repayment beginning at the end of the second year.

(c) UTILITY ACCOUNT — Within the IDF structure, the Utility Account provides financing to units of government for jobs creation and investment in the tier area(s), and for benefiting firms currently authorized by NC General Statutes. Funds may be used for construction or improvements to water, sewer, gas, or electrical utility lines and equipment for existing or proposed industrial

buildings. There is no specific amount of funding specified for each new job or project, but the impact of the funding should lead to the creation of new jobs and new investment. As with basic IDF financing, if Utility Account funds are spent for public property, the assistance shall be a grant; for private property, it shall be a loan.

(d) CLEAN WATER BONDS PROCEEDS - Clean Water bonds proceeds from the IDF shall be used to make grants to local government units to pay the cost of clean water projects for economic development with regard to the locating of industry to, and the expansion of industry in the State. These funds shall be administered in the manner permitted in the Basic IDF and the Utility Account except the following limitations shall apply:

- (1) The funds shall be used for grants; not loans.
- (2) Grants shall be made only for projects that will have a favorable impact on the clean water objectives of the State.
- (3) Projects shall be located in economically distressed counties or those that have a population of less than 50,000 determined from the data derived at the time of the last December ranking of economically distressed counties.
- (4) Grants may be made only with respect to the industries specified by the Clean Water and Natural Gas Critical Needs Bond Act of 1998 as amended.
- (5) The water or sewer utility lines or facilities for which bond funds are disbursed shall not necessarily be located on the site of a building or proposed building at which an industrial activity occurs if the utility lines or facilities will further the clean water objectives of the State.

History Note: Filed as a Temporary Rule Eff. November 16, 1987 for a Period of 180 Days to Expire on May 15, 1988;

Authority G.S. 143B-437.01;

Eff. May 1, 1988;

Temporary Amendment Eff. January 11, 1999;

Codifier determined that agency findings did not meet criteria for temporary rule;

Temporary Amendment Eff. October 6, 1999.

.0102 DEFINITIONS

These definitions apply to all parts of the Industrial Development Fund including the Basic Emergency Economic Development Assistance, Utility Account and Clean Water Bonds for Economic Development:

- (a) "Department" means the Department of Economic and Community Development, or its Secretary.
- (1) "Department" means the North Carolina Department of Commerce, or its Secretary.
- (b) "Act" means Section 111 Part XXII of the consolidated budget act codified as Chapter 830 of the 1987 Session Laws and amended by G.S. 143B-437A, 1989.
- (c) "Applicant" means a unit of city government located in a qualified county or a unit of county government which meets the definition of a qualified county.
- (2) "Applicant" means a North Carolina unit of government

that applies for IDF funds.

(d) "Industrial Development Fund" means the appropriation of monies given to the Department for these purposes. This fund will also be known as and referred to as the Industrial Building Renovation and Improvement Fund.

(3) "Industrial Development Fund" as referenced in G.S. 143B-437.01 means the fund within the Department's fiscal structure in which the appropriation of monies for industrial development projects is received and disbursed.

(4) "IDF" means the Industrial Development Fund.

(e) "Qualified County" means one of the 50 most economically depressed counties in the state. The Secretary of the Department shall determine which counties are the most economically depressed counties in the state based on: rate of unemployment, per capita income, and relative population and work force growth or lack of growth, as determined by the Secretary. The figures used in making this comparison and the delineation of "most" and "least" will be the latest available per capita income figures by county, as documented in a published form by any State or Federal Agency generally recognized as having expertise and creditability in these fields.

(f) "Emergency Assistance Qualified County" means any county which is facing the threat of, or which is experiencing a major economic dislocation. A major economic dislocation would mean the actual or imminent loss of manufacturing jobs caused by one or more plant closing(s) or one or more announced plant layoff(s) which affect:

- (1) at least 500 jobs; or
- (2) a number of jobs which is equal to or exceeds ten percent of the existing manufacturing work force.

In the case of Subparagraph (f)(2) of the Rule, the number of jobs impacted must exceed 50.

(5) "Eligible tier areas" means the aggregation of North Carolina counties into groups in which certain economic benefits apply, as currently authorized by G.S. 105-129.3.

(6) "Unit of Government" means a town, city or county of the state.

(7) "Full-time Job" means a job that requires at least 1600 hours of work in a year.

(8) "Infrastructure" means utilities, typically referred to as "public utilities," or a rail spur where there is public ownership of the rail property.

(9) "Grant" means money given to a unit of government to pay for an economic development project and does not have to be repaid, if the terms of the grant are fulfilled, i.e. the jobs commitment is met.

(10) "Loan" means money loaned to a unit of government to pay for an economic development project, to be repaid by the borrower.

(g) "Project" means one or more activities proposed for funding, or for partial funding, under this Rule. Such a project will be described in a narrative and accompanied by a preliminary set of drawings which set out the exact factual situation and a detailed schedule of costs from a contractor or engineer. The schedule must

constitute an ability to complete such project with no more than a ten percent contingency. All such project material will provide evaluations of potential for unusual site characteristics which might influence construction or operating costs. In each case, the project description will document the direct relationship between the project and the jobs created.

(11) "Project" means an activity proposed for IDF funding. It shall be described narratively in an application and accompanied by a preliminary set of drawings, or sketches, or other data that present the project in factual detail, together with a schedule or itemization of costs from an engineer or contractor. The schedule of costs shall constitute the ability to complete a project with no more than a 10 percent contingency.

(f) Project expenditures for existing buildings may include:

(12) Project expenditures means:

(a) For basic IDF—

- (i) the construction of, or improvements to existing water, sewer, gas or electrical utility systems, distribution lines, or required storage facilities, or a rail spur when either is publicly owned and operated, and or;
- (ii) the renovation of buildings to include including structural repairs, structural improvements such as roof repairs, addition of docks, or the erection of walls, or special structural supports to support cranes for heavy equipment, electrical upgrades, or HVAC upgrades;
- (iii) improvements to the building that are necessary to make the a building suitable for the occupancy of the building by the occupant and the operator of the project. Such improvements may include mechanical equipment such as heating or and air conditioning equipment, plumbing, pipes or trenching to handle effluents or process water, special electrical additions necessary for ovens, furnaces or other processors and lighting. If a renovation or an improvement is critical to the operation of a particular manufacturing or industrial businesses business, or, if such improvements are or is critical to the decision making process pertinent to the creation of such jobs, the actual improvement need not be located on the site of the industrial main project building. If, however, a grant of funds is involved, the improvement must be constructed on public right-of-ways or on property which the unit of government has an easement to treat as it normally would do as if it owned the property. However, when extending infrastructure to a firm, IDF assistance

ends at the private property line. Still In either situation, the application must document the exact relationship of between the jobs and the project. An example of a fundable project would be the case where a the unit of government must construct an elevated water tank and service water lines to provide water to a building so as to provide sprinkler water to a building where such service is directly required to operate the an industrial or manufacturing business. An example of an unfundable project would be where a unit of government seeks to expand or to repair its water utility (or other infrastructure) system and where the relationship to the creation of jobs is fairly general or indirect vague. The project will shall be described in from the perspective of employment to be created in the and its impact area of to the project. Direct and indirect jobs will be treated separately in the discussion. The operator of the project will provide details as to the nature of direct jobs created, including the skills required, work conditions, wages paid and seasonal influences on the number of work days per year.

- (D) the installation of or purchase of manufacturing equipment or process productions equipment:
 - (iv) the purchase and installation of equipment that is associated with the industrial classification of the project.
- (2) In the case of counties designated as "severely depressed", project expenditures may include construction of or improvement to new or existing water, sewer, gas, or electrical utility distribution lines or equipment to serve new or proposed industrial buildings to be used for manufacturing and industrial operations. Such infrastructure shall be located on the site of the building or directly related to the specific manufacturing activity.
 - (b) For Emergency Economic Development Assistance—Loans to local units of government for economic development projects designed to create jobs, lead to the creation of jobs, or save jobs, and to assist in alleviating the economic dislocation created by the loss of jobs.
 - (c) For the Utility Account—
 - (i) the construction of, or improvements to water, sewer, gas or electrical utility systems, distribution lines, or required storage facilities, or a rail spur or rail line when either is publicly owned and operated, and or;
 - (ii) equipment for existing or proposed industrial buildings for operations in the

industrial classifications that are currently eligible to receive Utility Account funding within the tier area.

- (e) "Renovation" shall have the same meaning as project, as described in Paragraph (g) of this Rule.
- (f) "Secretary" means the Secretary of the Department, or his designee.
- (g) "State" means the State of North Carolina.
 - (d) For Clean Water Bonds—
 - (i) the construction of or improvements to new or existing water or sewer distribution lines or equipment,
 - (ii) the construction or improvements to new or existing wastewater treatment facilities, or
 - (iii) improvements that will expand the capacity of existing wastewater treatment facilities or water supply systems.
- (13) "State" means the State of North Carolina.
- (k) "Severely Depressed" counties means those counties so designated under G.S. 105-130.40(c) or G.S. 105-151.17 (c) or units of governments within those counties.
- (14) "Application" means the pages of documents in which an applicant for IDF funds identifies itself, describes a project, specifies the funds required, provides a breakdown of project costs, and submits the benefiting firm's commitment to create jobs and evidence of its credit worthiness.
- (15) "Local Matching Funds" means funds of a unit of government contributed to an economic development project for the purpose of assisting in a total financing package and earning (or winning) other funds by doing so. Matching is usually expressed as a ratio, i.e. one local dollar for three state dollars, or one for three.
- (16) "Local Matching Requirement." The Department requires local matching in grant projects except for Emergency Economic Development Assistance projects and those located in a tier area that has been exempted from matching by NC General Statutes. The required rate shall be one for three, or one local dollar for each three state dollars.
- (17) "Participation Loan" means a loan among at least three parties, including: A bank or financial institution, the private firm, and the unit of government. The essence of a participation loan is that the bank, or financial institution, and the unit of government shall share at least equally in the lending arrangements, meaning the money loaned and the risk involved and collateral shared.
- (18) "Borrower" means the private firm identified in a participation loan for building improvement or equipment in the basic IDF, or the unit of government when the money is spent for emergency economic dislocation assistance or when the money is reloaned in a utility account project. Additionally, the unit of government shall be the borrower when IDF is used to assist local matching, or in other cases when the

Department believes the project can be more prudently structured as a loan rather than a grant.

(19) "Preapplication Conference" means a meeting held at the Department to discuss a proposed IDF application and includes: a representative of Commerce Finance Center; the applicant; an official of the benefiting firm; and a banker, if a participation loan is involved. A preapplication conference may be waived when the total IDF expenditures are expected to be fifty thousand dollars (\$50,000.00) or less.

(20)(t) "Clean Water Objectives of the State" include: means providing clean water in North Carolina by:

- (a)(1) Reducing the reliance on wells, septic tanks and similar facilities;
- (b)(2) Allowing residences, businesses, or local governments not otherwise served by water or sewer or wastewater infrastructure to connect into a distribution line or system (for water supply, sewer, or wastewater) being furnished in an economic development project for new or expanding industry.

History Note: Filed as a Temporary Amendment Eff. January 11, 1990 for a Period of 180 Days to Expire on July 9, 1990;

Filed as a Temporary Rule Eff. November 16, 1987 for a Period of 180 Days to Expire on May 15, 1988;

Authority G.S. 143B-437.01, 105-129.3;

Eff. May 1, 1988;

Amended Eff. September 1, 1990;

Temporary Amendment Eff. January 11, 1999;

Codifier determined that agency findings did not meet criteria for temporary rule;

Temporary Amendment Eff. October 6, 1999.

SECTION .0200 - GENERAL REQUIREMENTS

.0201 DATE OF RECEIPT OF APPLICATIONS

The Department of Commerce will shall receive applications after November 15, 1987 on a first-come, first-serve basis. An application Applications will shall be assigned a processing case number when that application it is received and is judged to be sufficiently complete for consideration. Where When possible, applications will shall be processed in the order of the processing numbers assigned.

History Note: Filed as a Temporary Rule Eff. November 16, 1987 for a Period of 180 Days to Expire on May 15, 1988;

Authority G.S. 143B-437.01;

Eff. May 1, 1988;

Temporary Amendment Eff. January 11, 1999;

Codifier determined that agency findings did not meet criteria for temporary rule;

Temporary Amendment Eff. October 6, 1999.

.0202 APPLICATION CATEGORIES AND REQUIREMENTS

(a) Applicants can may apply for funding under different grant categories, including: the following categories:

- (1) utility improvements or additions owned by public bodies;
 - (2) utility improvements or additions owned by private entities;
 - (3) industrial facilities owned by public bodies but being leased or being improved for immediate or delayed sale to private operators, or to private "arms-length" landlords;
 - (4) industrial and manufacturing facilities owned by private "non-profit" entities such as "Community Development Corporations" or Committees of 100" funded and/or endorsed by the elected leadership of the unit of Government; and
 - (5) industrial and manufacturing facilities owned by "for profit" entities to be improved by funds loaned to the private "profit-making" entity by a unit of city or county government.
- (1) Basic IDF;
 - (2) Emergency Economic Development Assistance;
 - (3) The Utility Account;
 - (4) Clean Water Bonds Proceeds.

(b) There is no set minimum grant amount of funding which applicants may request or to be awarded. If there are practical difficulties about a small amount or cost disadvantages, these will be discussed with the applicant in a preapplication conference. Grant IDF awards shall not exceed the total amount specified appropriated by the General Assembly in its appropriation process. Chapter 830 of the 1987 Session Laws, in Section 111, Paragraph (2), limited the maximum grant to a sum not to exceed the lesser amount the two hundred fifty thousand dollars (\$250,000), or a total of twelve hundred dollars (\$1,200) for each job created. For basic IDF, Emergency Economic Development Assistance, and Clean Water Bonds Proceeds, per job or per project maximum funding limitation will be the amounts established under current law. There is no maximum set for Utility Account funding; but the amount of awards will be determined by the Secretary. For the purpose of this Section basic IDF, the per job limitation shall be imposed applied on the basis of requiring a commitment from the occupying industrial or manufacturing firm operator of the business as to the number of jobs it will create that shall be created over a reasonable period of time, not to exceed three years. The number of jobs created will include only those people directly employed in permanent or seasonal jobs by the operator who occupies the facility; indirect and temporary jobs will not be included. Those shall be permanent, full-time jobs; no temporary or contract jobs.

(c) When a project renovation or improvement is to be accomplished to a building or on a site owned by a private entity, whether the private entity is conducted on a "for profit" or on a "not for profit" basis, the project will be financed by a loan to that private entity. This loan will be made to the private entity by the local unit of government with funds made available from this program. In each case, the local unit of government will establish its own authority to do that financing. The applicant will require

and provide to the Department of Commerce satisfactory documentation that all costs are reasonable and that all funds are to be expended with regard to the conflict of interest statutes regulating business transactions between government officials and other involved parties. The applicant will propose a plan of project administration which is satisfactory for the Department of Commerce.

(d) All funds expended which directly assist participating private entities must be repaid to grant recipients and then returned to the Department of Commerce as such repayments are received. Such repaid funds will not be returned to the General Fund, but set aside to fund new projects approved under this Subchapter. Generally, project grants classified under Rule .0202 (a) (1) will not be repaid. Repayment for projects otherwise classified may be given subordinate collateral positions, interest costs which are at less than market rates, or amortization which defers cash flow, in so long as requests are documented as necessary to the creation of jobs and the success of the project.

(e) A project will be subject to review by the Department of Commerce at any time during the first three years after the project begins. For a project classified under Rule .0202 (a) (2) (3) (4) and (5) of this Rule, any repayment balance that it owes the local unit of government may be partially or fully accelerated if the business has closed, or if the operating company has not made reasonable progress towards its jobs creation goal.

(c) Under basic IDE, improvements to building properties and equipment purchases (either of which becomes private property) shall be loan projects and will be accomplished with participation loans. The three parties to a participation loan shall be: the borrower's North Carolina bank, the borrower, and the unit of government. The bank shall commit at least as much funding as the unit of government, with the risk and collateral shared on a pro rated basis. Also, in the matter of sharing equally, this means that if the bank takes a certain collateral position, the unit of government shall share in that position. If either an out-of-state bank or a financial institution other than a bank is used in a participation loan, that must be approved by the Department.

(d) IDE funds may be loaned to a unit of government to meet matching funds requirements. In this case the Department shall furnish a loan repayment schedule to the mayor, city manager or county manager, which, in addition to the award letter and application, will establish the responsibility for repayment, and times and amounts of repayment.

(e) Loans for Emergency Economic Development projects shall be accomplished as in Paragraph (d) of this Rule.

(f) Loans for Utility Account projects will be accomplished as in Paragraph (d) of this Rule.

(g) With either grants or loans, the Department shall require financial information from the project owner or operator to establish financial capability. The usual requirement will be the preceding three years' financial and operating statements; for new businesses, at least three years pro forma statements and a business plan. In any case, the Department may use credit reports, bank information, or other data that it deems appropriate to establish the credit worthiness of the borrower.

(h) A project will be subject to review by the Department at any time during the first three years after the project begins.

(i) The Department may require a unit of government to partially or fully accelerate loan repayments if the operator's business has closed, moved, or if the company has not made reasonable progress toward its jobs creation commitment. The Department may require repayment of a grant, partially or fully, if the operating company has moved, closed, or has not made satisfactory progress towards its jobs creation commitment; and, in the case of Emergency Economic Development Assistance or the Utility Account, if funds are not spent in the manner for which they were approved.

History Note: Filed as a Temporary Rule Eff. November 16, 1987 For a Period of 180 Days to Expire on May 15, 1988;

Authority G.S. 143B-437.01;

Eff. May 1, 1988;

Temporary Amendment Eff. January 11, 1999;

Codifier determined that agency findings did not meet criteria for temporary rule;

Temporary Amendment Eff. October 6, 1999.

SECTION .0300 - SELECTION PROCESS

.0301 REVIEW OF APPLICATIONS AND FUNDING

(a) Applications will be submitted in a manner prescribed by the Department. Selection of applications for funding will be based primarily on information contained in the application. Thusly the application must provide sufficient information so as to allow the Department to rate it against the selection criteria. When an application is deemed complete, it will shall be assigned a processing case number.

(b) Applications for funding of Emergency Assistance projects may be submitted directly to the Secretary of the Department. They may also be submitted to the Department's Commerce Finance Center, Room 2174, Dobbs Building, 430 N. Salisbury Street, Post Office Box 29571, 301 North Wilmington Street, Raleigh, North Carolina 27611-27626-0571. The Department will maintain a policy that applications Applications shall be approved or denied by the last day of the calendar month following assignment of a processing case number as set out in Rule .0201(a) number. When possible, applications will shall be processed in the order that case processing numbers are assigned.

History Note: Filed as a Temporary Rule Eff. November 16, 1987 For a Period of 180 Days to Expire on May 15, 1988;

Authority S.L. 1989, c. 754;

Eff. May 1, 1998;

Amended Eff. September 1, 1990;

Temporary Repealed Eff. January 11, 1999;

Codifier determined that agency findings did not meet criteria for temporary rule;

Temporary Repealed Eff. October 6, 1999.

.0302 ELIGIBILITY REQUIREMENTS

Applications will shall show that:

- (1) That This funding is a vital part of the proposal to create the jobs set out and that the jobs will shall not be created if the project goes unfunded, and unfunded;

- (2) That The project is completely funded or financed, except for the particular funds sought in the application, and application;
- (3) The The involvement of the local unit of government is formally authorized by its elected board under specific resolution and by specific State ~~Statute, and Statute~~;
- (4) ~~The~~ The participating private entity must provide provides a letter statement of commitment relating to the project. That letter commitment will shall state that the project is to be carried out as described in the application, with specificity as to time schedules and to the parties ~~involved~~; involved;
- (5) The expenditure of private money on the project has not begun;
- (6) The project has not yet begun, i.e. money spent on the project, or public announcements made that the benefiting firm plans to do the project before the Department has been requested to participate with IDE;
- (7) For Emergency Economic Development Assistance Projects, there exists an emergency in the economy large enough to be considered an economic dislocation as set out in G.S. 143B-437.01 (a)(1a); and
- (8) The project for which funding is sought might help to alleviate the economic emergency described in Subparagraph (7) of this Rule.

History Note: Filed as a Temporary Rule Eff. November 16, 1987 For a Period of 180 Days to Expire on May 15, 1988;
 Authority G.S. 143B-437.01;
 Eff. May 1, 1988;
 Temporary Amendment Eff. January 11, 1999;
Codifier determined that agency findings did not meet criteria for temporary rule;
Temporary Amendment Eff. October 6, 1999.

.0303 REVIEW: APP/FUNDING/EMGCY ASST PROJ DEFINED/RULE .0102(h)

Applications for funding for projects defined in Rule .0102 (h) will show that:

- (1) There exists an emergency in the economy large enough to be considered an economic dislocation as set out in G.S. 143B-437(d) and;
- (2) That the project for which funding is sought might help to alleviate the economic emergency described in Subparagraph (1) of this Rule:

History Note: Authority S.L. 1989, c. 754;
 Eff. September 1, 1990;
 Temporary Repealed Eff. January 11, 1999;
Codifier determined that agency findings did not meet criteria for temporary rule;
Temporary Repealed Eff. October 6, 1999.

.0304 ELIGIBILITY REQ/EMGY ASST PROJ DEFINED/RULE .0102(h)

Application for Emergency Assistance projects defined in

Rule .0102(h) will show that:

- (1) the economic emergency exists, or is imminent, and
- (2) the project will, or will tend to, alleviate the especially severe economic emergency caused by the described economic dislocation.

History Note: Authority S.L. 1989, c. 754;
 Eff. September 1, 1990;
 Temporary Repealed Eff. January 11, 1999;
Codifier determined that agency findings did not meet criteria for temporary rule;
Temporary Repealed Eff. October 6, 1999.

SECTION .0400 - APPROVAL CRITERIA

.0401 GENERAL

In order for the Department to approve a project, or an "Emergency Assistance project", the Secretary is required to make certain findings necessary to document that the Department is conducting the duties specifically given to it in Chapter 830 of the 1987 Session Laws, those duties expressed in other General Statutes, and in Rule .0402 of these procedures, in a responsible and prudent manner:

History Note: Filed as a Temporary Amendment Eff. January 11, 1990 for a Period of 180 Days to Expire on July 9, 1990;
 Filed as a Temporary Rule Eff. November 16, 1987 For a Period of 180 Days to Expire on May 15, 1988;
 Authority Section 111 of Part XXII Chapter 830, 1987 Session Laws; S.L. 1989, s. IX, c. 754;
 Eff. May 1, 1988;
 Amended Eff. September 1, 1990;
 Temporary Repealed Eff. January 11, 1999;
Codifier determined that agency findings did not meet criteria for temporary rule;
Temporary Repealed Eff. October 6, 1999.

.0402 REQUIRED FINDINGS

(a) Before the Department can shall begin to make the approval as specified in G.S. Chapter 830; approve a project, a finding must be made that the project:

- (1) Will will shall assist a unit of Government in one of the most economically depressed counties eligible tier areas of the State State; as measured by median per capita income; and
- (2) The the funds will shall be used for renovation of buildings buildings or infrastructure or equipment to be used in manufacturing and industrial operations currently eligible under NC General Statutes by firms that have industry classifications currently eligible for tax incentives under G.S. 105-129.4.

(b) The secretary Department will shall document; document a finding based on data provided to him either in the application or by staff research, that the jobs to be created by this a project project, over no more than a three year period, will shall be large enough in number to have a measurable favorable impact on the

area immediately surrounding the project and will shall be commensurate with the size and cost of the grant to the project. The Department will use as a guideline, a standard of requiring one job saved or generated for each one thousand two hundred dollars (\$1,200) in grant financing. The applicant has the burden of demonstrating that the jobs will shall have a measurable impact on the county. The applicant must show by clear and convincing evidence the number and type of such jobs generated.

(c) The secretary Department will shall make a finding that the operator of the proposed project has demonstrated the capabilities to operate such a facility. The applicant has the burden of showing that capability exists in the operator to operate and maintain the facility efficiently and effectively. Financial strength and prior related experience by the operator shall be given great weight: evaluated. Where little or no prior experience can be demonstrated, the qualifications of management, including production or engineering staff, as applicable, shall be of great prime significance.

(d) The secretary Department will shall make a finding that the IDF financing of such for a project by the authority will shall not cause or result in the abandonment of an existing similar industrial or manufacturing facility of the proposed operator of or an affiliate elsewhere in the State unless the facility is to be abandoned because of obsolescence, lack of available labor, or site limitations. The Department shall consider an abandonment statement as prima facie proof of lack of abandonment.

(e) For Emergency Economic Development projects, the Department shall make a finding that:

- (1) the economic emergency exists, or is imminent, and
- (2) the project shall, or shall tend to, alleviate the especially severe economic emergency caused by the described economic dislocation.

(f) For Utility Account projects, the Department shall make a finding that the proposed funding will create new jobs or reasonably be expected to lead to the creation of new jobs in the industries currently eligible for Utility Account financing assistance as specified in G.S. 143B-437.01 (b1).

(e) The Department shall use the definitions of terms found in Section .0200 of this Subchapter to make these findings:

(g) For Clean Water Bonds projects, the Department shall make a finding that the proposed project will have a favorable impact on the Clean Water Objectives of the State.

(h) The Department shall use the definitions of terms found in Rule .0102 of this Subchapter to make these findings.

History Note: Filed as a Temporary Rule Eff. November 16, 1987 For a Period of 180 Days to Expire on May 15, 1988;

Authority G.S. 143B-437.01;

Eff. May 1, 1988;

Temporary Amendment Eff. January 11, 1999;

Codifier determined that agency findings did not meet criteria for temporary rule;

Temporary Amendment Eff. October 6, 1999.

.0403 FORMAL APPLICATION PROCEDURES: DENIAL

(a) Unless the applicant has met its various burdens of proof,

the secretary Department shall not make his the required findings.

(b) All findings shall be in writing and where Where adverse findings are made, they shall specifically indicate in detail which elements of proof were weak, the required conclusions which could not be made made, and any suggestions for amending the application.

History Note: Filed as a Temporary Rule Eff. November 16, 1987 For a Period of 180 Days to Expire on May 15, 1988;

Authority G.S. 143B-437.01;

Eff. May 1, 1988;

Temporary Amendment Eff. January 11, 1999;

Codifier determined that agency findings did not meet criteria for temporary rule;

Temporary Amendment Eff. October 6, 1999.

.0404 FORMAL APPLICATION PROCEDURES: APPROVAL

(a) Where the Secretary Department makes all the findings necessary, he it will shall do so in writing to the applicant at the earliest possible date after following the procedures as set forth in this Subchapter.

(b) The Secretary Department will shall prepare a letter of approval in which all his findings as set forth and cause this letter to be mailed to the applicant.

History Note: Filed as a Temporary Rule Eff. November 16, 1987 For a Period of 180 Days to Expire on May 15, 1988;

Authority G.S. 143B-437.01;

Eff. May 1, 1988;

Temporary Amendment Eff. January 11, 1999;

Codifier determined that agency findings did not meet criteria for temporary rule;

Temporary Amendment Eff. October 6, 1999.

.0405 FINDINGS REQ/APPROVAL/EMGCY PROJ DEFINED/RULE .0102(h)

(a) Before the Department can begin to make the approval of and to fund an Emergency project as defined in Rule .0102(h), the Secretary will determine that the economic dislocation described has caused an economic emergency and that the emergency is of such size that extraordinary measures are required to help alleviate the emergency:

(b) That the funding for Emergency projects during the current budget has not:

(c) Even with the funding for the Emergency project so approved, will not exceed one hundred thousand dollars (\$100,000.00):

History Note: Authority S.L. 1989, c. 754, s. ix;

Eff. September 1, 1990;

Temporary Repealed Eff. January 11, 1999;

Codifier determined that agency findings did not meet criteria for temporary rule;

Temporary Repealed Eff. October 6, 1999.

SECTION .0500 - RESERVATION OF FUNDS

.0501 GENERAL

Units of government may apply for a "120 45 day reservation" of funds, relating to a particular building renovation, so as IDF project to allow local units of government to induce prospective private sector employers to locate or expand and thrusty to create new jobs. The Secretary Department may accept and approve the requests where local units of government can document that:

- (1) Document that they have the potential for a project of strong merit;
- (2) Where a particular employer is interested in a proposed industrial building;
- (3) Where strong competitive offers have been made to the a client in by other states or where more comparative proposals have been made to the potential employer by communities located in the least distressed counties: tier areas not currently eligible for IDF funding. That application would be A request shall be prepared along the lines of the application for approval described in Rule .0302 of this Subchapter, except that the data normally obtained from the client or potential employees would not be necessarily be prepared by the client and would not be required in such detail.

History Note: Filed as a Temporary Rule Eff. November 16, 1987 For a Period of 180 Days to Expire on May 15, 1988;

Authority G.S. 143B-437.01;

Eff. May 1, 1988;

Temporary Amendment Eff. January 11, 1999;

Codifier determined that agency findings did not meet criteria for temporary rule;

Temporary Amendment Eff. October 6, 1999.

.0502 LIMITATIONS

Such approvals may be made in so long as that the "reservation of funds" for that project will not cause the total program funds "reserved" in that manner to exceed a sum not larger than an amount equal to one-third A request for a reservation of funds may be approved for a project if the funds required do not exceed one-half of the total of program funds available and not previously committed. committed in the regular approval process. The total of programs funds not previously committed will shall include appropriated funds, those funds received in repayment from recipients, interest earned accrual in escrow accounts and funds not used and reverted from either approved projects or from "reserved" funds.

History Note: Filed as a Temporary Rule Eff. November 16, 1987 For a Period of 180 Days to Expire on May 15, 1988;

Authority G.S. 143B-437.01;

Eff. May 1, 1988;

Temporary Amendment Eff. January 11, 1999;

Codifier determined that agency findings did not meet criteria for temporary rule;

Temporary Amendment Eff. October 6, 1999.

.0503 REVERSION OF FUNDS

An approval for "reservation" of funds for projects will shall not predicate approval or funding of a project. When a formal and complete application for approval of a project has not been filed by the applicant that requested the reservation of funds, before the expiration date of the "reservation of funds", the Department may revert those funds back to the program without any obligation to the unit of government. Such reversion of funds will be communicated to the unit of government in writing: The unit of government shall keep track of when the reservation of funds expires.

History Note: Filed as a Temporary Rule Eff. November 16, 1987 For a Period of 180 Days to Expire on May 15, 1988;

Authority G.S. 143B-437.01;

Eff. May 1, 1988;

Temporary Amendment Eff. January 11, 1999;

Codifier determined that agency findings did not meet criteria for temporary rule;

Temporary Amendment Eff. October 6, 1999.

SECTION .0600 - REPORTING REQUIREMENTS

.0601 REPORTING REQUIREMENTS

(a) The Department of Commerce will report annually to the General Assembly concerning the applications made to the fund and the payments made from the fund and the impact of the payments in the targeted counties. This report will be filed annually with the General Assembly either at the expressed convenience of the House and the Senate or by March 1 of each year at the offices of the Lt. Governor and the Speaker of the House.

(b) The Department of Commerce will also file monthly reports with the Joint Legislative Commission and the Fiscal Research Division. These reports will commence on November 30, 1987 and shall name the party(s) to whom payments were made, in what amounts, and, for what purposes.

History Note: Filed as a Temporary Rule Eff. November 16, 1987 For a Period of 180 Days to Expire on May 15, 1988;

Authority S.L. 1987, c. 830, s. 111, Part 411;

Eff. May 1, 1988;

Temporary Repealed Eff. January 11, 1999;

Codifier determined that agency findings did not meet criteria for temporary rule;

Temporary Repealed Eff. October 6, 1999.

SECTION .0700 - DESIGNATION OF ELIGIBLE TIERS AND COUNTIES

.0701 ANNUAL DESIGNATION

Each year, on or before December 31, the Secretary of the Department of Economic and Community Development shall designate the 50 most economically depressed counties in the state; this designation shall be for the following calendar year

Each year, on or before December 31, the Secretary of the Department of Commerce shall rank each county and assign its enterprise tier areas as set out in G.S. 105-129.3. The Secretary shall then assign, according to G.S. 143B-437.01, those counties that are most economically distressed which are eligible to participate in the Industrial Development Fund. This ranking of counties and their tier designation is effective for the following year; however, a Tier One county retains its designation for at least two consecutive years.

History Note: Authority G.S. 105-129.3; ,143B-437.01;
Eff. September 1, 1990;
Temporary Amendment Eff. January 11, 1999;
Codifier determined that agency findings did not meet criteria for temporary rule;
Temporary Amendment Eff. October 6, 1999.

SECTION .0800 - ENVIRONMENTAL COMPLIANCE

0801 COMPLIANCE WITH NORTH CAROLINA ENVIRONMENTAL RULES

Any local unit of government or grantee receiving Industrial Development Funds (IDE), including Basic IDE, Utility Account funds, Emergency Economic Assistance funds or Clean Water Bonds proceeds shall comply with North Carolina Environmental Policy Rules as cited in the North Carolina Administrative Code unless the project activity is a non-major activity, as cited in 15A NCAC 01C .0504.

History Note: Authority G.S. 143B-437.01;
Temporary Adoption Eff. January 11, 1999;
Codifier determined that agency findings did not meet criteria for temporary rule;
Temporary Amendment Eff. October 6, 1999.

TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

Rule-making Agency: Department of Health and Human Services - Controller's Office

Rule Citation: 10 NCAC 1B .0501-.0502

Effective Date: September 24, 1999

Findings Reviewed by Julian Mann III: Approved

Authority for the rule-making: G.S. 143B-10

Reason for Proposed Action: 10 NCAC 1B .0501 -With passage of S.L. 1999-334, rates for family care homes shall be based on market rate data. The market rate for family care homes shall be statewide rate established for adult care homes.

10 NCAC 1B .0502 - With passage of S.L. 1999-334, family care homes that serve state/county special assistance residents will not

be required to submit an annual cost report to establish their rates. The family care home rate shall be the statewide rate established for adult care homes.

Comment Procedures: Comments should be submitted to Joyce Johnson, DHHS-Controller's Office, 2019 Mail Service Center, 6160 Oberlin Road, Raleigh, NC 27699-2019.

CHAPTER 1 - DEPARTMENTAL RULES

SUBCHAPTER 1B - PROCEDURE

SECTION .0500 - REIMBURSEMENT

.0501 RATE SETTING METHODS FOR FACILITIES THAT SERVE STATE/COUNTY SPECIAL ASSISTANCE RESIDENTS

(a) A rate for facilities which serve State/County Special Assistance residents shall be reviewed annually, and pending approval of the Legislature, shall be effective for dates of service for a 12 month period beginning each October 1. Except for Family Care Homes, rates Rates are derived from submission of cost reports for the most recent 12 month period. The maximum rate shall be developed by ranking prior year per diem cost from the lowest to the highest in two separate arrays, one for direct cost and one for indirect cost. The per diem cost at the 75% percentile shall be used for the direct rate and the 60% percentile shall be used for the indirect rate. The maximum rate determined by this method may be adjusted as necessary to comply with federal or state laws or policies.

(b) The rate calculated in Paragraph (a) of this Rule shall include an annual adjustment to reflect increases or decreases in prices that are expected to occur from the cost report period on which the rates are developed to the year in which the rate applies. The price level adjustment factors shall be computed using aggregate base year cost in the following manner:

- (1) Cost shall be accumulated into the following groups:
 - (A) labor,
 - (B) fixed,
 - (C) other.
- (2) The relative weight of each cost group shall be calculated to the second decimal point by dividing the total cost of each group (labor, fixed, and other) by the total cost.
- (3) Price adjustment factors for each cost group shall be established as follows:
 - (A) Labor. The percentage change for labor costs shall be based on the projected average hourly wage of North Carolina service workers as provided by the North Carolina Office of State Budget and Management.
 - (B) Fixed. No adjustment shall be made for this category, thus making the factor zero.
 - (C) Other. The expected annual change in the implicit price deflator for the Gross National Product as provided by the OSBM.

- (D) The weights computed in Subparagraph (b)(2) of this Rule shall be multiplied by the percentage change computed in Parts (b)(3)(A), (B) and (C) of this Rule.
- (E) The sum computed for each category in Part (b)(3)(D) of this Rule shall be the price level adjustment factor for the coming fiscal year.

(c) Rates for family care homes shall be based on market rate data. The market rate for family care homes shall be the statewide rate established for adult care home in accordance with Paragraphs (a) and (b) of this Rule.

*History Note: G.S. 143B-10; S.L. 1999-334;
Eff. August 1, 1998;
Temporary Amendment Eff. September 24, 1999.*

.0502 COST REPORTING: FOR FACILITIES THAT SERVE STATE/COUNTY SPECIAL ASSISTANCE RESIDENTS

(a) Except for family care homes, each Each facility which serves State/County Special Assistance residents shall prepare and submit a report of its costs and other financial information. Facilities shall prepare and submit the cost report on the fiscal year as defined in G.S. 131D-4.2. Facilities that fail to file their cost reports by the due date are subject to enforcement actions for non-compliance as defined in G.S. 131D-4.2. If the Department of Health and Human Services (DHHS) finds good cause for delay, it may extend the deadline for filing the report for up to an additional 30 days. A good cause is an action that is uncontrollable by the provider.

(b) The cost report shall be submitted on forms provided by the Office of the DHHS Controller. The Department of Health and Human Services shall make the cost report format available to each facility on or before the last day of the fiscal year report period.

*History Note: G.S. 143B-10; S.L. 1999-334;
Eff. August 1, 1998;
Temporary Amendment Eff. September 24, 1999.*

Rule-making Agency: DHHS - Division of Medical Assistance

Rule Citation: 10 NCAC 26H .0212-.0213

Effective Date: September 22, 1999

Findings Reviewed and Approved by: Julian Mann, III

Authority for the rule-making: G.S. 108A-25(b); 108A-54; 108A-55; 42 CFR 447, Subpart C

Reason for Proposed Action: *This change is necessary to ensure the continuing availability of an adequate level of services to Medicaid and uninsured persons.*

Comment Procedures: *Written comments concerning this rule-making action must be submitted to Portia W. Rochelle, Rule-making Coordinator, Division of Medical Assistance, 1985 Umstead Drive, Raleigh, NC 27603.*

CHAPTER 26 - MEDICAL ASSISTANCE

SUBCHAPTER 26H - REIMBURSEMENT PLANS

SECTION .0200 - HOSPITAL INPATIENT REIMBURSEMENT PLAN

.0212 EXCEPTIONS TO DRG REIMBURSEMENT

(a) Covered psychiatric and rehabilitation inpatient services provided in either specialty hospitals, Medicare recognized distinct part units (DPU), or other beds in general acute care hospitals shall be reimbursed on a per diem methodology.

- (1) For the purposes of this Section, psychiatric inpatient services are defined as admissions where the primary reason for admission would result in the assignment of DRGs in the range 424 through 432 and 436 through 437.

For the purposes of this Section, rehabilitation inpatient services are defined as admissions where the primary reason for admissions would result in the assignment of DRG 462. All services provided by specialty rehabilitation hospitals are presumed to come under this definition.

- (2) When a patient has a medically appropriate transfer from a medical or surgical bed to a psychiatric or rehabilitative distinct part unit within the same hospital, or to a specialty hospital the admission to the distinct part unit or the specialty hospital shall be recognized as a separate service which is eligible for reimbursement under the per diem methodology.

Transfers occurring within general hospitals from acute care services to non-DPU psychiatric or rehabilitation services are not eligible for reimbursement under this Section. The entire hospital stay in these instances shall be reimbursed under the DRG methodology.

- (3) The per diem rate for psychiatric services is established at the lesser of the actual cost trended to the rate year or the calculated median rate of all hospitals providing psychiatric services as derived from the most recent as filed cost reports.
- (4) Hospitals that do not routinely provide psychiatric services shall have their rate set at the median rate.
- (5) The per diem rate for rehabilitation services is established at the lesser of the actual cost trended to the rate year or the calculated median rate of all hospitals providing rehabilitation services as derived from the most recent filed cost reports.
- (6) Rates established under this Paragraph are adjusted for inflation consistent with the methodology under Rule .0211 Subparagraph (d)(5) of this Section.

- (b) To assure compliance with the separate upper payment limit

for State-operated facilities, the hospitals operated by the Department of Health and Human Resources and all the primary affiliated teaching hospitals for the University of North Carolina Medical Schools shall be reimbursed their reasonable costs in accordance with the provisions of the Medicare Provider Reimbursement Manual. This Manual referred to as, (HCFA Publication #15-1) is hereby incorporated by reference including any subsequent amendments and editions. A copy is available for inspection at the Division of Medical Assistance, 1985 Umstead Drive, Raleigh, NC. Copies may be obtained from the U.S. Department of Commerce, National Technical Information Service, Subscription Department, 5285 Port Royal Road, Springfield, VA 22161 at a cost of one hundred forty seven dollars (\$147.00). Purchasing instructions may be received by calling (703) 487-4650. Updates are available for an additional fee. The Division shall utilize the DRG methodology to make interim payments to providers covered under this Paragraph, setting the hospital unit value at a level which can best be expected to approximate reasonable cost. Interim payments made under the DRG methodology to these providers shall be retrospectively settled to reasonable cost.

(c) When the Norplant contraceptive is inserted during an inpatient stay the current Medicaid fee schedule amount for the Norplant kit shall be paid in addition to DRG reimbursement. The additional payment for Norplant shall not be paid when a cost outlier or day outlier increment is applied to the base DRG payment.

(d) Hospitals operating Medicare approved graduate medical education programs shall receive a per diem rate adjustment which reflects the reasonable direct and indirect costs of operating these programs. The per diem rate adjustment shall be calculated in accordance with the provisions of Rule .0211 Paragraph (f) of this Section.

(e) Hospitals licensed by the State of North Carolina and reimbursed under the DRG methodology for more than 50 percent of their Medicaid inpatient discharges for the 12-month period ending September 30, 1998 shall be entitled to an additional payment for inpatient and outpatient hospital services in an amount determined by the Director of the Division of Medical Assistance, subject to the following provisions: Hospitals licensed by the State of North Carolina and reimbursed under the DRG methodology for more than 50 percent of their Medicaid inpatient discharges for the 12-month period ending September 30, 1999 shall be entitled to an additional payment for inpatient and outpatient hospital services in an amount determined by the Director of the Division of Medical Assistance, subject to the following provisions:

- (1) The maximum payments authorized by this Paragraph for public hospitals that qualify under the criteria in Part (A) of this Subparagraph shall be calculated by ascertaining the reasonable cost of inpatient and outpatient hospital Medicaid services, plus the reasonable direct and indirect costs attributable to Medicaid services of operating Medicare approved graduate medical education programs, less Medicaid payments received or to be received for these services. With respect to qualifying hospitals that are not public hospitals qualified under Part (A) of this Subparagraph:

the maximum payment authorized by this Paragraph shall be calculated by ascertaining 64.71 percent of the unreimbursed reasonable cost calculated by use of the methodology described in the preceding sentence, not to exceed in the aggregate for all such hospitals fifty-one million seven hundred thousand dollars (\$51,700,000). For purposes of this Subparagraph: To ensure that the payments authorized by this Subparagraph for qualified public hospitals that qualify under the criteria in Part (A) of this Subparagraph, do not exceed the upper limits established by 42 CFR 447.272, the maximum payments authorized for qualified public hospitals shall be determined for all such qualified public hospitals for the 12-month period ending September 30, 1998 by calculating the "Medicaid Deficit" for each hospital. The Medicaid Deficit shall be calculated by ascertaining the reasonable costs of inpatient and outpatient hospital Medicaid services; plus the reasonable direct and indirect costs attributable to inpatient and outpatient Medicaid services of operating Medicare approved graduate medical education programs; less Medicaid payments received or to be received for these services. For purposes of this Subparagraph:

- (A) A qualified public hospital is a hospital that meets the other requirements of this Paragraph and:
 - (i) was owned or operated by a State (or by an instrumentality or a unit of government within a State) from September 8 16 through and including September 30, 1998; 1999;
 - (ii) ~~indicated its legal entity status as a government unit on the Hospital License Renewal Application filed with the Division of Facility Services North Carolina Department of Human Resources for the 1995 calendar year; and verified its status as a public hospital by certifying State, local, hospital district or authority government control on the most recent version of Form HCFA-1514 filed with the Health Care Financing Administration, U.S. Department of Health and Human Services on or before September 16, 1999; and~~
 - (iii) ~~submits to the Division of Medical Assistance on or before September 20, 1995 by use of a form prescribed by the Division, a certificate of public expenditures to support the non-federal share of the payment it shall receive pursuant to this Paragraph. files with the Division on or before September 16, 1999 by use of a form prescribed by the Division a certificate of public expenditures to support a portion of the non-federal share of the payment it shall~~

receive pursuant to this Subparagraph.

- (B) Reasonable costs shall be ascertained in accordance with the provisions of the Medicare Provider Reimbursement Manual. This Manual, referred to as HCFA Publication #15-1, is hereby incorporated by reference including subsequent amendments and editions. A copy of this Manual is available for inspection at the Division of Medical Assistance, 1985 Umstead Drive, Raleigh, NC. Copies may be obtained from the US Department of Commerce, National Technical Information Service, Subscription Department, 5285 Port Royal Road, Springfield, VA 22161, at a cost of one hundred forty-seven dollars (\$147.00). Purchasing instructions may be received by calling (703) 487-4650. Updates are available for an additional fee: as defined in Paragraph (b) of this Rule.
- (C) The phrase "Medicaid payments received or to be received for these services" shall exclude all Medicaid disproportionate share hospital payments received or to be received, received: except for payments received or to be received pursuant to 10 NCAC 26H .0213(d).
- (2) Should 64.71 percent of the unreimbursed reasonable cost of Medicaid services for qualifying hospitals that are not qualified public hospitals be determined by the Director of the Division of Medical Assistance to exceed the sum of fifty one million seven hundred thousand dollars (\$51,700,000), the maximum payment of fifty one million seven hundred thousand dollars (\$51,700,000) to such hospitals authorized by this Paragraph shall be prorated among such hospitals based on unreimbursed reasonable costs: Qualified public hospitals shall receive a payment under this Paragraph in an amount (including the public expenditures certified to the Division by each hospital for the non-federal share) not to exceed each hospital's Medicaid Deficit.
- (3) Payments authorized by this Paragraph shall be made on or before September 30, 1995 solely on the basis of an estimate of costs incurred and payments received for Medicaid services during the 12 months ending September 30, 1995. The Director of the Division of Medical Assistance shall determine the amount of the estimated payments to be made by analysis of costs incurred and payments received for Medicaid services as reported on cost reports for fiscal years ending in 1994 filed before September 15, 1995 and supplemented by such additional financial information as is available to the Director when the estimated payments are calculated if and to the extent that the Director concludes that such additional financial information is reliable and relevant. Hospitals licensed by the State of North Carolina and reimbursed under the DRG methodology for more than 50 percent of their Medicaid inpatient discharges for the 12-months ending September 30, 1999 that are not qualified public hospitals as defined in this Paragraph shall be entitled to an additional payment under this Subparagraph for the Medicaid Deficit calculated in accordance with Subparagraph (1) of this Paragraph in an amount not to exceed the Medicaid Deficit.
- (4) Solely to ensure that estimated payments pursuant to Subparagraph (3) of this Paragraph do not exceed the hospital specific and state aggregate upper limits to such payments established by applicable federal law and regulation, such payments shall be cost settled as determined by an independent CPA furnished by the provider, based on cost reports covering the 12 months ending September 30, 1995, and hospital recipients of such payments shall promptly refund such payments if and to the extent that such payments exceed the applicable upper limit. No additional payments shall be made in connection with the cost settlement. Payments authorized by this Paragraph shall be made solely on the basis of an estimate of costs incurred and payments received for inpatient and outpatient Medicaid services during the payment fiscal year 1999. The Director of the Division of Medical Assistance shall determine the amount of the estimated payments to be made by analysis of costs incurred and payments received for Medicaid services as reported on cost reports for fiscal year ending in 1998 filed before September 16, 1999 and supplemented by additional financial information available to the Director when the estimated payments are calculated if and to the extent that the Director concludes that the additional financial information is reliable and relevant.
- (5) To ensure that estimated payments pursuant to this Paragraph do not exceed the State aggregate upper limits to such payments established by applicable federal law and regulation (42 CFR 447.272), such payments shall be cost settled within 12 months of receipt of the completed cost report covering the 12-month period ending September 30, 1999. There shall be a separate cost settlement procedure for inpatient and outpatient hospital services. In addition, for both inpatient and outpatient hospital services, there shall be a separate cost settlement procedure for state-operated hospitals and for non-state operated hospitals. As to each of these separate cost settlement procedures, if it should be determined that aggregate payments under this Paragraph exceed aggregate upper limits for such payments, any hospital that received payments under this Paragraph in excess of unreimbursed reasonable costs as defined in this Paragraph shall promptly refund its proportionate share of aggregate payments in excess of aggregate upper limits. The proportionate share of each such hospital shall be ascertained by calculating for each such hospital its percentage share of all payments to all members of the cost settlement group that are in excess of unreimbursed reasonable costs, and

multiplying that percentage times the amount by which aggregate payments being cost settled exceed aggregate upper limits applicable to such payments. No additional payments shall be made in connection with these cost settlements.

- (6) (5) The payments authorized by this Paragraph shall be effective in accordance with G.S. 108A-55(c).

History Note: Authority G.S. 108A-25(b); 108A-54; 108A-55(c); 42 C.F.R. 447, Subpart C;

Eff. February 1, 1995;

Filed as a Temporary Amendment Eff. September 15, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

Amended Eff. January 1, 1996;

Temporary Amendment Eff. September 25, 1996;

Temporary Amendment Eff. September 30, 1997;

Temporary Amendment Expired July 31, 1998;

Temporary Amendment Eff. September 16, 1998;

Temporary Amendment Expired on June 13, 1999;

Temporary Amendment Eff. September 22, 1999.

.0213 DISPROPORTIONATE SHARE HOSPITALS

(a) Hospitals that serve a disproportionate share of low-income patients and have a Medicaid inpatient utilization rate of not less than one percent are eligible to receive rate adjustments. The cost report data and financial information that is required in order to qualify as a disproportionate share hospital effective April 1, 1991 is based on the fiscal year ending in 1989 for each hospital, as submitted to the Division of Medical Assistance on or before April 1, 1991. The cost report data and financial information to qualify as a disproportionate share hospital effective July 1, 1991 is based on the fiscal year ending in 1990 for each hospital, as submitted to the Division of Medical Assistance on or before September 1, 1991. In subsequent years, qualifications effective July 1 of any particular year are based on each hospital's fiscal year ending in the preceding calendar year. The patient days, costs, revenues, or charges related to nursing facility services, swing-bed services, home health services, outpatient services, or any other service that is not a hospital inpatient service cannot be used to qualify for disproportionate share status. A hospital is deemed to be a disproportionate share hospital if:

- (1) The hospital has at least two obstetricians with staff privileges at the hospital who have agreed to provide obstetric services to individuals eligible for Medicaid. In the case of a hospital located in a rural area, the term obstetrician includes any physician with staff privileges at the hospital to perform non-emergency obstetric services as of December 21, 1987 or to a hospital that predominantly serves individuals under 18 years of age; and
- (2) The hospital's Medicaid inpatient utilization rate, defined as the percentage resulting from dividing Medicaid patient days by total patient days, is at least one standard deviation above the mean Medicaid inpatient utilization rate for all hospitals that receive Medicaid payments in the state; or

- (3) The hospital's low income utilization rate exceeds 25 percent. The low-income utilization rate is the sum of:
 - (A) The ratio of the sum of Medicaid inpatient revenues plus cash subsidies received from the State and local governments, divided by the hospital's total patient revenues; and
 - (B) The ratio of the hospital's gross inpatient charges for charity care less the cash subsidies for inpatient care received from the State and local governments divided by the hospital's total inpatient charges; or
- (4) The sum of the hospital's Medicaid revenues, bad debts allowance net of recoveries, and charity care exceeds 20 percent of gross patient revenues; or
- (5) The hospital, in ranking of hospitals in the State, from most to least in number of Medicaid patient days provided, is among the top group that accounts for 50 percent of the total Medicaid patient days provided by all hospitals in the State; or
- (6) It is a Psychiatric hospital operated by the North Carolina Department of Health and Human Resources, Division of Mental Health, Developmental Disabilities, Substance Abuse Services (DMH/DD/SAS) or UNC Hospitals operated by the University of North Carolina.

(b) The rate adjustment for a disproportionate share hospital is 2.5 percent plus one fourth of one percent for each percentage point that a hospital's Medicaid inpatient utilization rate exceeds one standard deviation of the mean Medicaid inpatient utilization rate in the State. The rate adjustment is applied to a hospital's payment rate exclusive of any previous disproportionate share adjustments.

(c) An additional one time payment for the 12-month period ending September 30, 1995, in an amount determined by the Director of the Division of Medical Assistance, may be paid to the Public hospitals that are the primary affiliated teaching hospitals for the University of North Carolina Medical Schools less payments made under authority of Paragraph (d) of this Rule. The payment limits of the Social Security Act, Title XIX, Section 1923(g)(1) applied to this payment require that when this payment is added to other Disproportionate Share Hospital payments, the additional disproportionate share payment will not exceed 100 percent of the total cost of providing inpatient and outpatient services to Medicaid and uninsured patients less all payments received for services provided to Medicaid and uninsured patients. The total of all payments may not exceed the limits on DSH funding as set for the State by HCFA.

(d) Effective July 1, 1994, hospitals eligible under Subparagraph (a)(6) of this Rule shall be eligible for disproportionate share payments, in addition to other payments made under the North Carolina Medicaid Hospital reimbursement methodology, from a disproportionate share pool under the circumstances specified in Subparagraphs (1), (2) and (3) of this Paragraph.

- (1) An eligible hospital will receive a monthly disproportionate share payment based on the monthly bed days of services to low income persons of each hospital divided by the total monthly bed days of

services to low income persons of all hospitals items allocated funds.

- (2) This payment shall be in addition to the disproportionate share payments made in accordance with Subparagraphs (a)(1) through (5) of this Rule. However, DMH/DD/SAS operated hospitals are not required to qualify under the requirements of Subparagraphs (a)(1) through (5) of this Rule.
- (3) The amount of allocated funds shall be determined by the Director of the Division of Medical Assistance, but not to exceed the quarterly grant award of funds (plus appropriate non-federal match) earmarked for disproportionate share hospital payments less payments made under Subparagraphs (a)(1) through (5) of this Rule divided by three. In Subparagraph (d)(1) of this Rule, bed days of services to low income persons is defined as the number of bed days provided to individuals that have been determined by the hospital as patients that do not possess the financial resources to pay portions or all charges associated with care provided. Low income persons include those persons that have been determined eligible for medical assistance. The count of bed days used to determine payment is based upon the month immediately prior to the month that payments are made. Disproportionate share payments to hospitals are limited in accordance with The Social Security Act as amended, Title XIX section 1923(g), limit on amount of payment to hospitals.

(e) Subject to the availability of funds, hospitals that: qualify as disproportionate share hospitals under Subparagraphs (a)(1) through (5) of this Rule for the fiscal years ended September 30, 1995, 1996 and 1997; operate Medicare approved graduate medical education programs and reported Medicaid costs attributable to such programs to the Division on cost reports for fiscal years ending in 1995, 1996 and 1997; and incur for the 12-month period ending September 30, 1997 unreimbursed costs (calculated without regard to payments under either this Paragraph or Paragraph (f) of this Rule) for providing inpatient and outpatient services to uninsured patients in an amount in excess of two million five hundred thousand dollars (\$2,500,000) shall be eligible for disproportionate share payments for such services from a disproportionate share pool under the circumstances specified in Subparagraphs (1) through (7) of this Paragraph.

- (1) Qualification for the 12 month period ending September 30, 1996 shall be based on cost report data and uninsured patient data certified to the Division by hospitals on or before September 23, 1996 for fiscal years ending in 1995, in connection with the disproportionate share hospital application process. Qualification for subsequent 12 month periods ending September 30 of each year shall be based on cost report data and uninsured patient data certified to the Division by hospitals on or before September 1 of each subsequent year, for the fiscal year ending in the preceding calendar year.

- (2) Any payments made pursuant to this Paragraph shall be calculated and paid no less frequently than annually, and prior to the calculation and payment of any disproportionate share payments pursuant to Paragraph (f) of this Rule.
- (3) For the 12 month period ending September 30, 1996 a payment shall be made to each qualified hospital in an amount determined by the Director of the Division of Medical Assistance based on a percentage (not to exceed a maximum of 23 percent) of the unreimbursed costs incurred by each qualified hospital for inpatient and outpatient services provided to uninsured patients.
- (4) In subsequent 12 month periods ending September 30th of each year, the percentage payment shall be ascertained and established by the Division by ascertaining funds available for payments pursuant to this Paragraph divided by the total unreimbursed costs of all hospitals that qualify for payments under this Paragraph for providing inpatient and outpatient services to uninsured patients.
- (5) The payment limits of the Social Security Act, Title XIX, section 1923(g)(1) applied to the payments authorized by this Paragraph require that when this payment is added to other disproportionate share hospital payments, the total disproportionate share payments shall not exceed 100 percent of the total costs of providing inpatient and outpatient services to Medicaid and uninsured patients for the fiscal year in which such payments are made, less all payments received for services to Medicaid and uninsured patients. The total of all disproportionate share hospital payments shall not exceed the limits on disproportionate share hospital funding as established for this State by HCFA.
- (6) To ensure that payments pursuant to Paragraph (e) do not exceed the State aggregate upper limits to such payments established by applicable federal law and regulation (42 C.F.R. 447.272), such payments shall be cost settled within 12 months of receipt of the completed cost report covering the period for which such payments are made. If any hospital receives payments, pursuant to this Subparagraph in excess of the percentage established by the Director under Subparagraph (d)(3) of this Rule, ascertained without regard to other disproportionate share hospital payments that may have been received for services during the 12-month period ending September 30, 1996, such excess payments shall promptly be refunded to the Division. No additional payment shall be made to qualified hospitals in connection with the cost settlement.
- (7) The payments authorized by Subparagraph (6) shall be effective in accordance with G.S. 108A-55(c).
- (f) An additional one-time disproportionate share hospital payment during the 12-month period ending September 30, 1997 1999 (subject to the availability of funds and to the payment limits specified in this Paragraph) shall be paid to qualified public

hospitals. For purposes of this Paragraph, a qualified public hospital is a hospital that qualifies for disproportionate share hospital status under Subparagraphs (a)(1) through (5) of this Rule; does not qualify for disproportionate share hospital status under Subparagraph (a)(6) of this Rule; was owned or operated by a State (or by an instrumentality or a unit of government within a State) from September 1, 1997, 1999 through and including September 30, 1997, 1999 verified its status as a public hospital by certifying state, local, hospital district or authority government control on the most recent version of Form HCFA-1514 filed with the Health Care Financing Administration, U.S. Department of Health and Human Services on or before September 1, 1997, 1999; files with the Division on or before September 1, 1997, 1999; by use of a form prescribed by the Division a certification of its unreimbursed charges for inpatient and outpatient services provided to uninsured patients during the fiscal year ending in 1996, 1998 and submits to the Division on or before September 1, 1997, 1999 by use of a form prescribed by the Division a certificate of public expenditures.

- (1) The payment to qualified public hospitals pursuant to this Paragraph for the 12-month period ending September 30, 1997, 1999 shall be based on and shall not exceed the unreimbursed charges certified to the Division by each such hospital by use of a form prescribed by the Division for inpatient and outpatient services provided to uninsured patients for the fiscal year ending in 1996, 1998, to be converted by the Division to unreimbursed cost by multiplying unreimbursed charges times the cost-to-charge ratio established by the Division for each hospital for the fiscal year ending in 1996, 1998. Payments authorized by this Paragraph shall be made no less frequently than annually.
- (2) Any payments pursuant to this Paragraph shall be ascertained and paid after any disproportionate share hospital payments that may have been or may be paid by the Division pursuant to Paragraphs (d) and (e) of this Rule.
- (3) The payment limits of the Social Security Act, Title XIX, Section 1923(g)(1) applied to this payment require that when this payment is added to other disproportionate share hospital payments, the total disproportionate share hospital payments will not exceed 100 percent of the total costs of providing inpatient and outpatient services to Medicaid and uninsured patients for the fiscal year in which such payments are made, less all payments received for services to Medicaid and uninsured patients for that year. The total of all DSH payments by the Division may not exceed the limits on disproportionate share hospital funding as established for this State by HCFA for the fiscal year in which such payments are made.
- (4) To ensure that estimated payments pursuant to Paragraph (f) do not exceed the State aggregate upper limits to such payments established by applicable federal law and regulation (42 C.F.R. 447.272), such payments shall be cost settled within 12 months of

receipt of the completed cost report covering the 12 month period for which such payments are made. No additional payments shall be made in connection with the cost settlement.

- (5) The payments authorized by Paragraph (f) of this Rule shall be effective in accordance with G.S. 108A-55(c).
- (g) Effective with dates of payment beginning October 31, 1996, hospitals that provide services to clients of State Agencies are considered to be a Disproportionate Share Hospital (DSH) when the following conditions are met:
 - (1) The hospital has a Medicaid inpatient utilization rate not less than one percent and has met the requirements of Subparagraph (a)(1) of this Rule; and
 - (2) The State Agency has entered into a Memorandum of Understanding (MOU) with the Division of Medical Assistance (Division); and
 - (3) The inpatient and outpatient services are authorized by the State Agency for which the uninsured client meets the program requirements.
- (A) For purposes of this Paragraph, uninsured patients are those clients of the State Agency that have no third parties responsible for any hospital services authorized by the State Agency.
- (B) DSH payments are paid for services to qualified uninsured clients on the following basis:
 - (i) For inpatient services the amount of the DSH payment is determined by the State Agency in accordance with the applicable Medicaid inpatient payment methodology as stated in Rule .0211 of this Section.
 - (ii) For outpatient services the amount of the DSH payment is determined by the State Agency in accordance with the applicable Medicaid outpatient payment methodology as stated in Section 24 of Chapter 18 of the 1996 General Assembly of North Carolina.
 - (iii) No federal funds are utilized as the non-federal share of authorized payments unless the federal funding is specifically authorized by the federal funding agency as eligible for use as the non-federal share of payments.
- (C) Based upon this subsection DSH payments as submitted by the State Agency are to be paid monthly in an amount to be reviewed and approved by the Division of Medical Assistance. The total of all payments may not exceed the limits on Disproportionate Share Hospital funding as set forth for the state by HCFA.
- (h) An additional disproportionate share hospital payment during the 12-month period ending September 30, 1999 (subject to the availability of funds and to the payment limits specified in this Paragraph) shall be paid to Hospitals that qualify for disproportionate share hospital status under Subparagraph (a)(1) through (5) of this Rule and provide inpatient or outpatient hospital services to Medicaid Health Maintenance Organizations ("HMO")

enrollees during the year ending September 30, 1999. For purposes of this Paragraph, a Medicaid HMO enrollee is a Medicaid beneficiary who receives Medicaid services through a Medicaid HMO; a Medicaid HMO is a Medicaid managed care organization, as defined in Section 1903 (m) (1) (A), that is licensed as a HMO and provides or arranges for services for enrollees under a contract pursuant to Section 1903 (m)(2)(A)(i) through (xi). To qualify for a DSH payment under this Paragraph, a hospital must also file with the Division on or before September 16, 1999 by use of a form prescribed by the Division a certification of its charges for inpatient and outpatient services provided to Medicaid HMO enrollees during the fiscal year ending in 1998. The payment to qualified hospitals pursuant to this Paragraph for the 12-month period ending September 30, 1999 shall be based on charges certified to the Division by each hospital by use of a form prescribed by the Division for inpatient and outpatient Medicaid HMO services for the fiscal year ending in 1998, converted by the Division to cost by multiplying charges times the cost-to-charge ratio established by the Division for each hospital for the fiscal year ending in 1998.

- (1) The payment shall then be determined by multiplying the cost times a percentage determined by the Division. The payment percentage established by the Division will be calculated to ensure that the Medicaid HMO DSH payment authorized by this Paragraph is equivalent (as a percentage of reasonable cost) to the Medicaid supplemental payment authorized by Paragraph (c) of this Rule.
- (2) The payment limits of the Social Security Act, Title XIX, Section 1923 (g) (1) applied to this payment require that when this payment is added to other disproportionate share hospital payments, the total disproportionate share hospital payments will not exceed 100 percent of the total costs of providing inpatient and outpatient services to Medicaid and uninsured patients for the fiscal year in which such payments are made, less all payments received for services to Medicaid and uninsured patients for that year. The total of all DSH payments by the Division may not exceed the limits on Disproportionate Share hospital funding as established for this State by HCFA for the fiscal year in which such payments are made.
- (3) To ensure that estimated payments pursuant to this Paragraph do not exceed the State aggregate upper limits to such payments established by applicable federal law and regulation (42 CFR 447.272), such payments shall be cost settled within 12 months of receipt of the completed cost report covering the 12 month period for which such payments are made. No additional payments shall be made in connection with the cost settlement.
- (4) The payments authorized by this Paragraph shall be effective in accordance with G.S. 108A-55 (c).
 - (i) An additional disproportionate share hospital payment during the twelve-month period ending September 30, 1999 (subject to the availability of funds and to the payment limits

specified in this Paragraph) shall be paid to large free-standing inpatient rehabilitation hospitals that are qualified public hospitals. For purposes of this Subparagraph, a large free-standing inpatient rehabilitation hospital is a hospital licensed for more than 100 rehabilitation beds. For purposes of this Subparagraph, a qualified public hospital is a hospital that: either qualifies for disproportionate share hospital status under Subparagraph (a) (1) of this Rule or did not offer nonemergency obstetric services to the general population as of December 21, 1987; qualifies for disproportionate share hospital status under Subparagraphs (a)(2) through (5) of this Rule; does not qualify for disproportionate share hospital status under Subparagraph (a)(6) of this Rule; was owned or operated by a State (or by an instrumentality or a unit of government within a State) from September 16, 1999 through and including September 30, 1999; and verifies its status as a public hospital by certifying state, local, hospital district or authority government control on the most recent version of Form HCFA-1514 filed with the Health Care Financing Administration, U.S. Department of Health and Human Services on or before September 16, 1999.

- (1) The payment to qualified public hospitals pursuant to this Paragraph for the twelve month period ending September 30, 1999 shall be based on and shall not exceed the "Medicaid Deficit" for each hospital. The Medicaid Deficit shall be calculated by ascertaining the reasonable costs of inpatient and outpatient hospital Medicaid services less Medicaid payments received or to be received for these services. For purposes of this Subparagraph:
 - (A) Reasonable costs shall be ascertained in accordance with the provisions of the Medicare Provider Reimbursement Manual as defined in Paragraph (b) of this Rule;
 - (B) The phrase "Medicaid payments received or to be received for these services" shall exclude all Medicaid disproportionate share hospital payments received or to be received.
- (2) The disproportionate share hospital payments to qualified public hospitals shall be made on the basis of an estimate of costs incurred and payments received for inpatient and outpatient Medicaid services during the payment fiscal year 1999. The Director of the Division of Medical Assistance shall determine the amount of the estimated payments to be made by analysis of costs incurred and payments received for Medicaid services as reported on cost reports for the fiscal year ending in 1998 and filed before September 16, 1999 and supplemented by additional financial information available to the Director when the estimated payments are calculated if and to the extent that the Director concludes that the additional financial information is reliable and relevant.
- (3) The payment limits of the Social Security Act, Title XIX, Section 1923(g)(1) applied to this payment require that when this payment is added to other disproportionate share hospital payments, the total

disproportionate share hospital payments will not exceed 100 percent of the total costs of providing inpatient and outpatient services to Medicaid and uninsured patients for the fiscal year in which such payments are made, less all payments received for services to Medicaid and uninsured patients for that year. The total of all DSH payments by the Division may not exceed the limits on Disproportionate Share hospital funding as established for this State by HCFA for the fiscal year in which such payments are made.

(4) To ensure that estimated payments pursuant to this paragraph do not exceed the State aggregate upper limits to such payments established by applicable federal law and regulation (42 C.F.R. 447.272), such payments shall be cost settled within 12 months of receipt of the completed cost report covering the 12 month period for which such payments are made. No additional payments shall be made in connection with the cost settlement.

(5) The payments authorized by this Paragraph shall be effective in accordance with G.S. 108A-55(c).

History Note: Authority G.S. 108A-25(b); 108A-54; 108A-55; 42 C.F.R. 447, Subpart C;

Eff. February 1, 1995;

Amended Eff. July 1, 1995;

Filed as a Temporary Amendment Eff. September 15, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

Filed as a Temporary Amendment Eff. September 29, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

Amended Eff. January 1, 1996;

Temporary Amendment Eff. September 25, 1996;

Temporary Amendment Eff. April 15, 1997;

Temporary Amendment Eff. September 30, 1997;

Temporary Amendment Eff. September 16, 1998;

Temporary Amendment Expired on June 13, 1999;

Temporary Amendment Eff. September 22, 1999.

Rule-making Agency: *Social Services Commission*

Rule Citation: *10 NCAC 42A .0801 - .0810; 47B .0103, .0204, .0407*

Effective Date: *January 1, 2000*

Findings Reviewed by Beecher R. Gray: *Approved*

Authority for the rule-making: *S.L. 1999-237; G.S. 143B-153*

Reason for Proposed Action: *10 NCAC 42A .0801 - .0810 - Legislation enacted by the 1999 Session of the General Assembly appropriated funds for county departments of social services to*

implement a Resident Evaluation program for adult care homes. Rules need to be adopted to implement this legislation effective January 1, 2000.

10 NCAC 47B .0103, .0204, .0407 - Legislation enacted by the 1999 Session of the General Assembly appropriated funds for county departments of social services to implement a Resident Evaluation program for applicants and recipients of State/County Special Assistance for Adults. A resident evaluation is now required for eligibility determination and re-determination for this program. Rules need to be amended and adopted to implement this requirement effective January 1, 2000.

Comment Procedures: *If you wish to make comment, please contact Ms. Sharnese Ransome, APA Coordinator, Division of Social Services, 2401 Mail Service Center, Raleigh, NC 27699-2401; (919) 733-3055.*

CHAPTER 42 - INDIVIDUAL AND FAMILY SUPPORT

SUBCHAPTER 42A - ADULT PLACEMENT SERVICES

SECTION .0800 - ADULT CARE HOME RESIDENT EVALUATION SERVICES

.0801 DEFINITIONS

As used in this Subchapter, the following terms have the meaning specified:

- (1) "Adult Care Home" is defined in G.S. 131D-2.
- (2) "Facility" means an adult care home licensed under G.S. 131D-2, or a combination home licensed under G.S. 131E, Article 6, Part A, or an entity licensed under G.S. 122C, Article 2.
- (3) "Special Assistance" means the financial assistance program which helps eligible individuals pay for the cost of care in adult care homes licensed under G.S. 131D-2, combination homes licensed under G.S. 131E, Article 6, Part A, and entities licensed under G.S. 122C, Article 2. The Special Assistance payment rate is set by the General Assembly. The categories of Special Assistance are:
 - (a) Special Assistance for the Aged (SAA) is for eligible individuals 65 years of age and older;
 - (b) Special Assistance for the Disabled (SAD) is for eligible individuals 18 to 64 years of age who are disabled according to Social Security or state disability standards; and
 - (c) Special Assistance for the Blind (SAB) is for eligible individuals who are legally blind.

History Note: Authority G.S. 143B-153; S.L. 1999-237; Temporary Adoption Eff. January 1, 2000.

.0802 AVAILABILITY OF THE SERVICE

County departments of social services shall assure the availability of Medicaid funded Adult Care Home Resident Evaluation Services to Special Assistance applicants and

recipients.

History Note: Authority G.S. 143B-153; S.L. 1999-237;
Temporary Adoption Eff. January 1, 2000.

.0803 DEFINITION OF THE SERVICE

Adult Care Home Resident Evaluation Services is a group of interrelated activities conducted by a qualified resident evaluator which includes:

- (1) Conducting an initial evaluation, using the Resident Assessment Instrument for Adult Care Homes, of individuals applying for and receiving Special Assistance to determine the level of care needed;
- (2) Using the initial evaluation to identify those Special Assistance applicants and recipients who require further evaluation regarding the need for treatment of mental illness or habilitation services or referral to other community based services or both;
- (3) Referring Special Assistance applicants and recipients to community based services and coordinating referrals to community based services for Special Assistance recipients with the adult care home staff;
- (4) Referring Special Assistance applicants and recipients identified through the initial evaluation or a subsequent re-evaluation to the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional for a comprehensive evaluation of, and if indicated, the provision of treatment for mental illness or habilitation services;
- (5) Conducting annual re-evaluations of Special Assistance recipients to determine the ongoing level of care needed;
- (6) Working with the adult care home to identify Special Assistance recipients who pose a serious threat to other residents and immediately arranging for an initial evaluation of the individual's condition and need for treatment of mental illness or habilitation services;
- (7) Working with Special Assistance applicants and recipients, applicants 'and recipients' families or responsible parties or any combination of these individuals, and adult care home staff to recognize and accept the need for referral to and treatment or habilitation, if indicated, by the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional;
- (8) Notifying the adult care home of the mental health or developmental disabilities findings from the initial evaluation and their responsibility to work with the area mental health, developmental disabilities, substance abuse services authority or another qualified mental professional to meet the mental health treatment or habilitation needs of Special Assistance applicants and recipients;
- (9) Securing or reviewing other information or both to assist

in the determination of level of care and the need for referral to the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional;

- (10) Determining that evaluations are conducted, and if indicated, treatment or habilitation plans are developed by the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional for Special Assistance applicants and recipients referred for evaluation of the need for treatment or habilitation services;
- (11) Determining that the adult care home's plan of care for the Special Assistance applicant or recipient is consistent with the results of the mental health or developmental disabilities evaluation and treatment or habilitation plan; and
- (12) Providing technical assistance to adult care homes on conducting functional assessments and developing care plans to meet Special Assistance applicant and recipient needs.

History Note: Authority G.S. 143B-153; S.L. 1999-237;
Temporary Adoption Eff. January 1, 2000.

.0804 TARGET POPULATION

All Special Assistance applicants and recipients shall have an evaluation to determine the level of care needed, which shall be conducted by a qualified resident evaluator as set forth in 10 NCAC 42A .0809, using the Resident Assessment Instrument for Adult Care Homes.

History Note: Authority G.S. 143B-153; S.L. 1999-237;
Temporary Adoption Eff. January 1, 2000.

.0805 RESIDENT EVALUATION INSTRUMENT

The Resident Assessment Instrument for Adult Care Homes shall be used to evaluate all Special Assistance applicants and recipients, and for subsequent re-evaluations.

History Note: Authority G.S. 143B-153; S.L. 1999-237;
Temporary Adoption Eff. January 1, 2000.

.0806 EVALUATION AND REFERRAL

(a) Resident evaluators shall complete the Resident Assessment Instrument for Adult Care Homes prior to admission for all Special Assistance applicants, except when emergency placement in a facility is necessary for a disabled adult in need of protective services as specified in G.S. 108A-101(e).

(b) In order to complete the Resident Assessment Instrument for Adult Care Homes, the resident evaluator shall observe the Special Assistance applicant or recipient to determine the level of care needed and obtain information from one or more of the following:

- (1) the applicant or recipient;
- (2) the applicant's or recipient's family or legally responsible party;
- (3) facility staff; or

(4) others knowledgeable about the applicant's or recipient's condition or diagnosis.

(c) Using the Resident Assessment Instrument for Adult Care Homes, along with any other pertinent information about a Special Assistance applicant or recipient's condition or diagnosis, the resident evaluator shall make a determination to refer the individual for evaluation of, and if indicated, the provision of treatment for mental illness or habilitation services by the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional.

(d) Referral to the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional shall be made within 24 hours of completing the Resident Assessment Instrument for Adult Care Homes when there is substantial danger of harm to the Special Assistance applicant or recipient or to other residents in the adult care home and within 72 hours of completing the Resident Assessment Instrument for Adult Care Homes for all other Special Assistance applicants or recipients.

(e) The resident evaluator shall refer the Special Assistance applicant or recipient to the area authority responsible for providing mental health, developmental disabilities, and substance abuse services in the county where the adult care home is located or to another qualified mental health professional.

(f) The adult care home shall be notified about the referral to the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional. Mental health findings from the initial evaluation or any subsequent re-evaluation shall be made available to the adult care home so that these findings can be incorporated into the resident's plan of care.

(g) The resident evaluator shall re-evaluate Special Assistance recipients at least every 12 months using the Resident Assessment Instrument for Adult Care Homes.

History Note: Authority G.S. 143B-153; S.L. 1999-237; Temporary Adoption Eff. January 1, 2000.

.0807 TRIAGE PROCEDURE

A triage procedure for identifying Special Assistance recipients most in need of an initial evaluation shall be developed by the county department of social services in conjunction with the area mental health, developmental disabilities, substance abuse services authority and used by resident evaluators. The procedure shall meet requirements established by the Secretary of the Department of Health and Human Services, including time frames for initial evaluations and treatment and the conditions under which another qualified mental health professional outside of the area authority shall be used.

History Note: Authority G.S. 143B-153; S.L. 1999-237; Temporary Adoption Eff. January 1, 2000.

.0808 TRAINING REQUIREMENTS FOR RESIDENT EVALUATORS

Resident evaluators hired directly by county departments of

social services or through a contract with another agency or with a qualified individual shall complete training on the Resident Assessment Instrument for Adult Care Homes prior to conducting any evaluations of Special Assistance applicants or recipients.

History Note: Authority G.S. 143B-153; S.L. 1999-237; Temporary Adoption Eff. January 1, 2000.

.0809 METHODS OF SERVICE PROVISION

(a) One or more of the methods of service provision enumerated in this Paragraph shall be used to provide Adult Care Home Resident Evaluation Services.

(1) Direct Provision. County departments of social services may employ qualified resident evaluators to provide Adult Care Home Resident Evaluation Services. The resident evaluators shall:

- (A) Meet the requirements established by the Office of State Personnel or a substantially equivalent jurisdiction approved by the State Personnel Commission for resident evaluators based on the activities set forth in Rule .0803 of this Section;
- (B) Have training in assessment and care planning for long-term-care services in residential and community care settings and training in the use of computer software to operate the Resident Assessment Instrument for Adult Care Homes;
- (C) Perform all duties and activities in accordance with the rules contained in this Subchapter; and
- (D) Have no agreement, financial or otherwise, with a licensed facility or any relationship with a facility that could give rise to a conflict of interest.

(2) Contract with Another Agency. County departments of social services may establish a written contract with another agency to provide Adult Care Home Resident Evaluation Services. Resident evaluators employed through a written contract shall:

- (A) Meet the requirements established by the Office of State Personnel or a substantially equivalent jurisdiction approved by the State Personnel Commission for resident evaluators based on the activities set forth in Rule .0803 of this Section;
- (B) Have training in assessment and care planning for long-term-care services in residential and community care settings and training in the use of computer software to operate the Resident Assessment Instrument for Adult Care Homes;
- (C) Perform all duties and activities in accordance with the rules contained in this Subchapter; and
- (D) Have no agreement, financial or otherwise, with a licensed facility or any relationship with a facility that could give rise to a conflict of interest.

(3) Contract with a Qualified Individual. County departments of social services may establish a written contract with a qualified individual to provide Adult

Care Home Resident Evaluation Services. Individuals under contract with a county department of social services to provide this service shall:

- (A) Meet the requirements established by the Office of State Personnel or a substantially equivalent jurisdiction approved by the State Personnel Commission for resident evaluators based on the activities set forth in Rule .0803 of this Section;
- (B) Have training in assessment and care planning for long-term-care services in residential or community care settings and training in the use of computer software to operate the Resident Assessment Instrument for Adult Care Homes;
- (C) Perform all duties and activities in accordance with the rules contained in this Subchapter; and
- (D) Have no agreement, financial or otherwise, with a licensed facility or any relationship with a facility that could give rise to a conflict of interest.

(b) A written contract with another agency or with a qualified individual shall be established in accordance with rules set forth in 10 NCAC 36. Copies of these Rules may be obtained from the Office of Administrative Hearings, Post Office Drawer 27447, Raleigh, NC 27611-7447, (919) 733-2678, at a cost of two dollars and fifty cents (\$2.50) for up to ten pages and fifteen cents (\$.15) for each additional page at the time of the adoption of this Rule.

History Note: Authority G.S. 143B-153; S.L. 1999-237; Temporary Adoption Eff. January 1, 2000.

.0810 CASE RECORD

A record shall be kept in the county department of social services of jurisdiction for each client receiving Adult Care Home Resident Evaluation Services and must include:

- (1) Documentation of request or authorization for services;
- (2) Documentation of client eligibility;
- (3) Documentation of consent for release and sharing of information;
- (4) A copy of the completed initial evaluation using the Resident Assessment Instrument for Adult Care Homes documenting the need for adult home level of care;
- (5) Copies of all re-evaluations using the Resident Assessment Instrument for Adult Care Homes;
- (6) Documentation of any and all referrals, including those to the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional;
- (7) Documentation of any additional information used to verify the need for referral to the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional;
- (8) Documentation that an evaluation is conducted, and if indicated, a treatment or habilitation plan is developed when the client is referred to the area mental health, developmental disabilities, substance abuse services

authority or another qualified mental health professional;

- (9) Documentation that the adult care home's plan of care for the client is consistent with the results of the evaluation and treatment or habilitation plan when the client is referred to the area mental health, developmental disabilities, substance abuse services authority or another qualified mental health professional; and
- (10) Documentation notifying the client of service reduction, denial or termination.

History Note: Authority G.S. 143B-153; S.L. 1999-237; Temporary Adoption Eff. January 1, 2000.

CHAPTER 47 - STATE/COUNTY SPECIAL ASSISTANCE FOR ADULTS

SUBCHAPTER 47B - ELIGIBILITY DETERMINATION

SECTION .0100 - APPLICATION PROCESS

.0103 ELIGIBILITY DETERMINATION PROCESS

The following steps shall be followed in eligibility determination:

- (1) Each eligibility factor shall be reviewed;
- (2) A home visit (or a visit to the domiciliary care facility, if a home visit is not appropriate) shall be made unless one of the following exceptions applies:
 - (a) The applicant resides in a state institution (mental hospital or retardation center). In this case, information shall be obtained from a responsible person or staff member of the institution.
 - (b) The applicant resides in a domiciliary care facility in a county other than his county of residence. In this case, information shall be obtained from a responsible person or the county department in the county where the facility is located.
- (3) The applicant shall be asked whether he receives Supplemental Security Income benefits. If he has not applied, he shall be asked to apply immediately. The State/County Special Assistance application shall be held until a disposition is made.
- (4) The applicant or the applicant's legally responsible party shall cooperate with the resident evaluation to be completed by the Adult Care Home Resident Evaluator.

History Note: Authority G.S. 143B-153; S.L. 1999-237; Eff. January 1, 1983; Temporary Amendment Eff. January 1, 2000.

SECTION .0200 - REDETERMINATION OF ELIGIBILITY

.0204 RE-EVALUATION

Eligibility re-determination shall be based on verification that a re-evaluation has been completed at least every 12 months using the Resident Assessment Instrument for Adult Care Homes and other supportive information which documents the need for care in an adult care home licensed under G.S. 131D-2, a combination home licensed under G.S. 131E, Article 6, Part A, or a facility licensed under G.S. 122C, Article 2.

History Note: Authority G.S. 143B-153; S.L. 1999-237;
Temporary Adoption Eff. January 1, 2000.

SECTION .0400 - ELIGIBILITY FACTORS

.0407 EVALUATION

Eligibility for State/County Special Assistance for Adults shall be determined based on verification that an evaluation has been completed using the Resident Assessment Instrument for Adult Care Homes and other supportive information which documents the need for care in an adult care home licensed under G.S. 131D-2, a combination home licensed under G.S. 131E, Article 6, Part A, or a facility licensed under G.S. 122C, Article 2.

History Note: Authority G.S. 143B-153; S.L. 1999-237;
Temporary Adoption Eff. January 1, 2000.

Rule-making Agency: *Secretary of the Department of Health and Human Services*

Rule Citation: 10 NCAC 42B .1201, .1212-.1214, .1407, .1707, .1803, .2501-.2503; 42C .2005, .2011-.2014, .2207, .2214, .2302, .2501, .2505-.2506, .2703, .3401-.3402, .3701, .3703, .3801-.3810, .3901-.3903; 42D .1301-.1303, .1401-.1402, .1407, .1410-.1415, .1503, .1605, .1804, .1821, .1901-.1910, .2001-.2011, .2101-.2102, .2201-.2203.

Effective Date: *December 1, 1999*

Findings Reviewed and Approved by: *Julian Mann, III*

Authority for the rule-making: G.S. 90-288.10-20; 131D-2; 131D-4.3; 131D-4.5; 131D-4.6; 131D-8; 143B-165.

Reason for Proposed Action: *Senate Bill 10, resulting from the Department of Health and Human Services' Long Term Care Safety Initiative, mandates temporary rulemaking within 60 days of ratification to address medication administration, staffing, and staff qualifications, supervision of staff, behavioral intervention training, discharge/transfer due process and appeal rights, issuing and renewing licenses based on compliance history, air temperature levels, and special care units and their disclosure in adult care homes. Senate Bill 198 requires that compliance history be considered in issuance of adult care home licenses and House Bill 512 requires certification of adult care home administrators (with the exception of family care home*

administrators). These requirements impact current rules on administrators and the adult care home license, and, therefore, call for rule amendments as well the establishment of new rules to address issuance of a license based on compliance history.

Comment Procedures: *Written comments may be submitted to Doug Barrick, Division of Facility Services, Group Care Licensure Section, 2708 Mail Service Center, Raleigh, NC 27699-2708.*

CHAPTER 42 - INDIVIDUAL AND FAMILY SUPPORT

SUBCHAPTER 42B - LICENSING OF HOMES FOR DEVELOPMENTALLY DISABLED ADULTS

SECTION .1200 - PERSONNEL

.1201 PERSONNEL REQUIREMENTS

The qualifications of administrator, co-administrator, supervisor-in-charge, manager, and co-manager are as follows:

- (1) must shall be an adult;
- (2) must shall be a high school graduate or certified under the G.E.D. Program (applies to those employed on or after August 1, 1991);
- (3) must shall be in good physical, mental and emotional health (DSS-1864);
- (4) must shall provide written documentation about convictions of criminal offenses from the clerk of court in the county in which the conviction was made, and about any driving offenses other than minor traffic violations from the motor vehicles office;
- (5) must shall be willing to improve abilities by taking suitable courses offered in the local community and attending workshops earn 12 hours a year of continuing education credits related to the management of homes and training of developmentally disabled adults.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; 168-1; 168-9; S.L. 99-0334;
Eff. January 1, 1978;

Amended Eff. July 1, 1990; September 1, 1987;
ARRC Objection Lodged January 1, 1991;

Amended Eff. August 1, 1991;
Temporary Amendment Eff. December 1, 1999.

.1212 CERTIFICATION OF ADMINISTRATOR

Rule 10 NCAC 42D .1412 shall control for this Subchapter.

History Note: Authority G.S. 131D-2; 90-288; 143B-165; S.L. 99-0334; S.L. 99-0443;

Temporary Adoption Eff. December 1, 1999.

.1213 QUALIFICATIONS OF MEDICATION AIDES AND THEIR SUPERVISORS

(a) Effective January 1, 2000, staff who administer medications, hereafter referred to as medication aides, and staff who directly supervise the administration of medications shall have

documentation of successfully completing the clinical skills validation portion of the competency evaluation according to Paragraph (d) and (e) of Rule .1214 of this Section prior to the administration or supervision of the administration of medications. Medication aides shall also meet the staff training and competency requirements according to Rule .1210 of this Section. Persons authorized by state occupational licensure laws to administer medications are exempt from this requirement.

(b) Effective July 1, 2000, medication aides and their direct supervisors, except persons authorized by state occupational licensure laws to administer medications, shall have successfully passed the written examination and clinical skills validation portion of a competency evaluation according to Rule .1214 of this Section prior to administration or supervision of the administration of medications. Medication aides shall also meet the staff training and competency requirements according to Rule .1210 of this Section.

(c) Medication aides and their direct supervisors, except persons authorized by state occupational licensure laws to administer medications, shall complete eight hours of state approved continuing education annually in medication administration.

(d) Effective July 1, 2000, persons taking the competency evaluation for medication administration shall be a high school graduate or certified under the G.E.D. program or shall have passed an alternative examination established by the Department.

(e) Training and competency validation of any unlicensed person who is to administer insulin shall be according to Rule .2404 of this Subchapter. Effective January 1, 2000, the training shall also be required for any unlicensed person who is to administer insulin.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.1214 MEDICATION ADMINISTRATION COMPETENCY EVALUATION

Rule 10 NCAC 42C .2014 shall control for this Subchapter.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

SECTION .1400 - ARRANGEMENT AND SIZE OF ROOMS

.1407 STORAGE AREAS

(a) The storage areas must be adequate in size and number for storage of clean linens, soiled linens, cleaning materials, household supplies, food and equipment. Refer to rules and regulations governing the sanitation and other aspects of residential care facilities.

(b) Medications shall be stored separately in a cabinet or closet as follows:

- (1) well-lighted, locked cabinet or closet large enough to store all medications in an orderly manner;

- (2) dividers installed or containers provided in the cabinet or closet to separate each resident's medications with proper labeling for each resident;
- (3) located off the corridor but not in bathrooms, utility room, or kitchen, due to presence of steam and variations in temperature;
- (4) a separate lockable box in the refrigerator shall be provided for drug storage when needed (or a separate drug-only refrigerator);
- (5) all external medications shall be stored separately from internal medication.

History Note: Statutory Authority G.S. 131D-2; 143B-153; 131D-4.5; 168-1; 168-9; S.L. 99-0334;

Eff. January 1, 1978;

Temporary Amendment Eff. December 1, 1999.

SECTION .1700 - ADMISSION: TRANSFER: AND DISCHARGE POLICIES

.1707 PROCEDURES FOR DISCHARGE

Rule 10 NCAC 42C .2506 shall control for this Subchapter.

(a) Discharge policies shall be in writing.

(b) When it becomes apparent that a resident no longer needs the services of a group home, the administrator of a private for profit home will always notify the county department of social services regarding discharge. In private non-profit homes the manager will notify the board of directors or admissions committee which will in turn notify the county department of social services. In all cases the county department of social services must be notified about a discharge.

(c) If the resident's physician determines that he needs a higher level of care, the manager must contact the admissions committee or social worker to make other plans for the resident.

(d) The manager must notify the admissions committee or social worker if a resident requests or otherwise indicates a need for a different home.

(e) Enter the date of discharge or transfer and the reason for leaving the licensed home in item 14 of the DSS-1865 form.

(f) For disposition of records of residents who have left the home see Regulation .2001 of this Subchapter.

(g) The manager shall contact the admissions committee and social worker for persons having difficulty adjusting to the change in living arrangements. If, after a reasonable time adjustment is not satisfactory, the manager may request the admissions committee or social worker to make other plans for the resident.

(h) Also, there shall be a clearly defined system for the resident to express any grievances or complaints. An advocate for the individual shall be established; i.e., a social worker, family member or friend.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; 168-1; 168-9; S.L. 99-0334;

Eff. January 1, 1978;

Amended Eff. July 1, 1990;

Temporary Amendment Eff. December 1, 1999.

SECTION .1800 - MEDICAL POLICIES

.1803 MEDICATIONS

(a) The group home shall have a written policy regarding medication:

- (1) The group home should have a systematic training program to help each resident become less reliant on drug administration by staff and more self-reliant regarding drug administration.
- (2) Programs designed to gradually reduce the tranquilizer intake of residents use of psychotropic medications shall be under the supervision of a qualified physician. Care should be taken to distinguish tranquilizing drugs psychotropic medications from medication used for other purposes such as for seizure control.
- (3) Medications for all residents shall be re-evaluated and re-authorized every six months: months by a physician.
- (4) The home administrator-manager shall be responsible for assuring that the resident complies with the prescribed drugs regimen.

(b) Regulation The rules states in 10 NCAC 42C .2703 .3800 shall control for this Section of the Subchapter.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; 168-1; 168-9; S.L. 99-0334;

Eff. January 1, 1978;

Temporary Amendment Eff. December 1, 1999.

SECTION .2500 - ADULT HOME CARE LICENSES

.2501 DEFINITIONS

Rule 10 NCAC 42C .3901 shall control for this Subchapter.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0113; 99-0334;

Temporary Adoption Eff. December 1, 1999.

.2502 PERSONS NOT ELIGIBLE FOR NEW ADULT CARE HOME LICENSES

Rule 10 NCAC 42C .3902 shall control for this Subchapter.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0113; 99-0334;

Temporary Adoption Eff. December 1, 1999.

.2503 ADULT CARE HOMES NOT ELIGIBLE FOR LICENSE RENEWAL

Rule 10 NCAC 42C .3903 shall control for this Subchapter.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0113; 99-0334;

Temporary Adoption Eff. December 1, 1999.

SUBCHAPTER 42C - LICENSING OF FAMILY CARE HOMES

SECTION .2000 - PERSONNEL

.2005 OTHER PERSONNEL REQUIREMENTS

(a) In addition to the personnel requirements set forth in Rules .2001, .2002, and .2006 of this Subchapter, additional competent staff must be employed, as needed, to assure good housekeeping, supervision and personal care of the residents.

(b) In homes where there are minor children, aged or infirm relatives of the administrator or supervisor-in-charge other management staff residing, the number of extra staff will be determined by the capacity for which the home is licensed plus the minors and relatives who require care and supervision.

(c) The Division of Facility Services will make the final determination of the need for additional staff, based on the home's licensed capacity; the number of live-in minors and relatives requiring care; the condition, needs and ambulation capacity of the residents; and the layout of the building.

(d) Each staff member must have a well-defined job description that reflects actual duties and responsibilities, signed by the administrator and the employee.

(e) Each staff member must be able to apply all of the home's accident, fire safety and emergency procedures for the protection of the residents.

(f) Each staff member authorized by the administrator to have access to confidential resident information must be informed of the confidential nature of the information and must protect and preserve such information from unauthorized use and disclosure. G.S. 131D-2(b)(4), G.S. 131D-21(6), and G.S. 131D-21.1 govern the disclosure of such information.

(g) Each staff member is to encourage and assist the residents in the exercise of the rights guaranteed under the Domiciliary Adult Care Home Residents' Bill of Rights. No staff member is to hinder or interfere with the proper performance of duty of a lawfully appointed Domiciliary-Adult Care Home Community Advisory Committee.

(h) Each staff member left alone with the residents must be 18 years or older.

(i) Within six months of the effective date of this rule, each facility shall have at least one person on the premises at all times who has successfully completed within the last 24 months a course on cardiopulmonary resuscitation (CPR) and choking management, including Heimlich maneuver, provided by the American Heart Association, the American Red Cross or a trainer with documented certification as a trainer in these procedures. For the purpose of this rule, successfully completed means demonstrating competency, as evaluated by the instructor, in performing the Heimlich maneuver and cardiopulmonary resuscitation. Documentation of successful completion of the course shall be on file and available for review in the facility.

(j) Staff who transport residents shall maintain a valid driver's license.

(k) If licensed practical nurses are employed by the facility, there shall be continuous availability of a registered nurse consistent with Rules 21 NCAC 36 .0224 and .0225.

Note: The practice of licensed practical nurses is governed by their occupational licensing laws.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334;

Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

Amended Eff. April 1, 1984;

Temporary Amendment Eff. December 1, 1999.

.2011 STAFF COMPETENCY AND TRAINING

(a) The facility shall assure that personal care staff and those who directly supervise them in facilities without heavy care residents successfully complete a ~~20-~~ 25- hour training program, including competency evaluation, approved by the Department according to Rule .2012 of this Section. For the purposes of this Subchapter, heavy care residents are those for whom the facility is providing personal care tasks listed in Paragraph (i) of this Rule. Directly supervise means being on duty in the facility to oversee or direct the performance of staff duties.

(b) The facility shall assure that staff who perform or directly supervise staff who perform personal care tasks listed in Paragraph (i) of this Rule in facilities with heavy care residents successfully complete a ~~75-~~ 80- hour training program, including competency evaluation, approved by the Department according to Rule .2012 of this Section and comparable to the State-approved Nurse Aide I training.

(c) The facility shall assure that training specified in Paragraphs (a) and (b) of this Rule is successfully completed within one of the following time frames: six months after hiring for staff hired after July 1, 2000. Staff hired prior to July 1, 2000, shall have completed at least a 20 or 75-hour training program, which shall meet all the requirements of this Rule except for the interpersonal skills and behavioral interventions listed in Paragraph (j) of this Rule, within six months after hiring.

(1) six months after implementation of a statewide training program for staff hired before such implementation; or

(2) six months after hiring for staff hired Department of Community Colleges after implementation of a statewide training program established by the

(d) The Department shall have the authority to extend the six-month time frame specified in Paragraph (c) of this Rule up to six additional months for a maximum allowance of 12 months for completion of training upon submittal of documentation to the Department by the facility showing good cause for not meeting the six-month time frame.

(e) Exemptions from the training requirements of this Rule are as follows:

(1) The Department shall exempt staff from the ~~20~~ 25- hour training requirement upon successful completion of a competency evaluation approved by the Department according to Rule .2012 of this Section if staff have been employed to perform or directly supervise personal care tasks listed in Paragraph (h) and the interpersonal skills and behavioral interventions listed in Paragraph (j) of this Rule in a comparable long-term care setting for a total of at least 12 months during the three years prior to January 1, 1996, or the date they are hired, whichever is later.

(2) The Department shall exempt staff from the ~~75-~~ 80 hour training requirement upon successful completion of a 15-hour refresher training and competency evaluation program or a competency evaluation program approved by the Department according to Rule .2012 of this Section if staff have been employed to perform or directly supervise personal care tasks listed in Paragraph (i) and the interpersonal skills and behavioral interventions listed in Paragraph (j) of this Rule in a comparable long-term care setting for a total of at least 12 months during the three years prior to January 1, 1996, or the date they are hired, whichever is later.

(3) The Department shall exempt staff from the ~~20~~ 25 and ~~75-~~ 80- hour training and competency evaluation who are or have been licensed health professionals or listed on the N.C. Nurse Aide Registry: Certified Nursing Assistants.

(f) The facility shall maintain documentation of the training and competency evaluations of staff required by the rules of this Subchapter. The documentation shall be filed in an orderly manner and made available for review by representatives of the Department.

(g) The facility shall assure that staff who perform or directly supervise staff who perform personal care tasks listed in Paragraphs (h) and (i) and the interpersonal skills and behavioral interventions listed in Paragraph (j) of this Rule receive on-the-job training and supervision as necessary for the performance of individual job assignments prior to meeting the training and competency requirements of this Rule.

(h) For the purposes of this Rule, personal care tasks which require a ~~20-~~ 25 hour training program include, but are not limited to the following:

- (1) assist residents with toileting and maintaining bowel and bladder continence;
- (2) assist residents with mobility and transferring;
- (3) provide care for normal, unbroken skin;
- (4) assist with personal hygiene to include mouth care, hair and scalp grooming, care of fingernails, and bathing in shower, tub, bed basin;
- (5) trim hair;
- (6) shave resident;
- (7) provide basic first aid;
- (8) assist residents with dressing;
- (9) assist with feeding residents with special conditions but no swallowing difficulties;
- (10) assist and encourage physical activity;
- (11) take and record temperature, pulse, respiration, routine height and weight;
- (12) trim toenails for residents without diabetes or peripheral vascular disease;
- (13) perineal care;
- (14) apply condom catheters;
- (15) turn and position;
- (16) collect urine or fecal specimens;
- (17) take and record blood pressure if a registered nurse has determined and documented staff to be competent to

- perform this task;
- (18) apply and remove or assist with applying and removing prosthetic devices for stable residents if a registered nurse, licensed physical therapist or licensed occupational therapist has determined and documented staff to be competent to perform the task; and
- (19) apply or assist with applying ace bandages, TED's and binders for stable residents if a registered nurse has determined and documented staff to be competent to perform the task.

(i) For the purposes of this Rule, personal care tasks which require a ~~75-~~ 80- hour training program are as follows:

- (1) assist with feeding residents with swallowing difficulty;
- (2) assist with gait training using assistive devices;
- (3) assist with or perform range of motion exercises;
- (4) empty and record drainage of catheter bag;
- (5) administer enemas;
- (6) bowel and bladder retraining to regain continence;
- (7) test urine or fecal specimens;
- (8) use of physical or mechanical devices attached to or adjacent to the resident which restrict movement or access to one's own body used to restrict movement or enable or enhance functional abilities;
- (9) non-sterile dressing procedures;
- (10) force and restrict fluids;
- (11) apply prescribed heat therapy;
- (12) care for non-infected pressure ulcers; and
- (13) vaginal douches.

(j) For purposes of this Rule, the interpersonal skills and behavioral interventions include, but are not limited to the following:

- (1) recognition of residents' usual patterns of responding to other people;
- (2) individualization of appropriate interpersonal interactions with residents;
- (3) interpersonal distress and behavior problems;
- (4) knowledge of and use of techniques, as alternatives to the use of restraints, to decrease residents' intrapersonal and interpersonal distress and behavior problems.
- (5) knowledge of procedures for obtaining consultation and assistance regarding safe, humane management of residents' behavioral problems.

History Note: Authority G.S. 131D-2; 131D-4.3; 131D-4.5; 143B-153; S.L. 99-0334;

Temporary Adoption Eff. January 1, 1996;

Eff. May 1, 1997;

Temporary Amendment Eff. December 1, 1999.

.2012 TRAINING PROGRAM AND COMPETENCY EVALUATION CONTENT AND APPROVAL

(a) The ~~20-~~ 25- hour training specified in Rule .2011 of this Section shall consist of at least ~~+2~~ 15 hours of classroom instruction, and the remaining hours shall be supervised practical experience. Competency evaluation shall be conducted in each of the following areas:

- (1) personal care skills;

- (2) cognitive, behavioral and social care; care for all residents and including interventions to reduce behavioral problems for residents with mental disabilities, and;

- (3) residents' rights as established by G.S. 131D-21.

(b) The ~~75-~~ 80- hour training specified in Rule .2011 of this Section shall consist of at least ~~30~~ 34 hours of classroom instruction and at least ~~30~~ 34 hours of supervised practical experience. Competency evaluation shall be conducted in each of the following areas:

- (1) observation and documentation;
- (2) basic nursing skills, including special health-related tasks;
- (3) personal care skills;
- (4) cognitive, behavioral and social care; care for all residents and including interventions to reduce behavioral problems for residents with mental disabilities;
- (5) basic restorative services; and
- (6) residents' rights as established by G.S. 131D-21.

(c) The following requirements shall apply to the ~~20~~ 25 and ~~75-~~ 80- hour training specified in Rule .2011 of this Section:

- (1) The training shall be conducted by an individual or a team of instructors with a coordinator. The supervisor of practical experience and instructor of content having to do with personal care tasks or basic nursing skills shall be a registered nurse with a current, unencumbered license in North Carolina and with two years of clinical or direct patient care experience working in a health care, home care or long term care setting. The program coordinator and any instructor of content that does not include instruction on personal care tasks or basic nursing skills shall be a registered nurse, licensed practical nurse, physician, gerontologist, social worker, psychologist, mental health professional or other health professional with two years of work experience in adult education or in a long term care setting; or a four-year college graduate with four years of experience working in the field of aging or long term care for adults.
- (2) A trainee participating in the classroom instruction and supervised practical experience in the setting of the trainee's employment shall not be considered on duty and counted in the staff-to-resident ratio.
- (3) Training shall not be offered without a qualified instructor on site.
- (4) Classroom instruction shall include the opportunity for demonstration and practice of skills.
- (5) Supervised practical experience shall be conducted in a licensed adult care home or in a facility or laboratory setting comparable to the work setting in which the trainee will be performing or supervising the personal care skills.
- (6) All skills shall be performed on humans except for intimate care skills, such as perineal and catheter care, which may be conducted on a mannequin.
- (7) There shall be no more than 10 trainees for each instructor for the supervised practical experience.

- (8) A written examination prepared by the instructor shall be used to evaluate the trainee's knowledge of the content portion of the classroom training. The trainee shall score at least 70 on the written examination. Oral testing shall be provided in the place of a written examination for trainees lacking reading or writing ability.
- (9) The trainee shall satisfactorily perform all of the personal care skills specified in Rule .2011(h) and the skills specified in Rule .2001(j) of this Section for the 20 25-hour training and in Rule .2011(h), and (i) and (j) of this Section for the 75- 80- hour training. The instructor shall use a skills performance checklist for this competency evaluation that includes, at least, all those skills specified in Rule Rules .2011(h) and .2011(j) of this Section for the 20- 25- hour training and all those skills specified in Rule Rules .2011(h), and (i) and (j) of this Section for the 75- 80-hour training. Satisfactory performance of the personal care skills and interpersonal and behavioral intervention skills means that the trainee performed the skill unassisted; explained the procedure to the resident; explained to the instructor, prior to or after the procedure, what was being done and why it was being done in that way; and incorporated the principles of good body mechanics, medical asepsis and resident safety and privacy.
- (10) The training provider shall issue to all trainees who successfully complete the training a certificate, signed by the registered nurse who conducted the skills competency evaluation, stating that the trainee successfully completed the 20 or 75-hour training. The trainee's name shall be on the certificate. The training provider shall maintain copies of the certificates and the skills evaluation checklists for a minimum of five years.
 - (d) An individual, agency or organization seeking to provide the 20 25 or 75 80- hour training specified in Rule .2011 of this Section shall submit the following information to the Group Care Licensure Section of the Division of Facility Services:
 - (1) an application which is available at no charge by contacting the Division of Facility Services, Group Care Licensure Section, Post Office Box 29530, 2708 Mail Service Center, Raleigh, North Carolina 27626-0530; 27626-2708;
 - (2) a statement of training program philosophy;
 - (3) a statement of training program objectives for each content area;
 - (4) a curriculum outline with specific hours for each content area;
 - (5) teaching methodologies, a list of texts or other instructional materials and a copy of the written exam or testing instrument with an established passing grade;
 - (6) a list of equipment and supplies to be used in the training;
 - (7) procedures or steps to be completed in the performance of the personal care and basic nursing skills;
 - (8) sites for classroom and supervised practical experience, including the specific settings or rooms within each site;
 - (9) resumes of all instructors and the program coordinator, including current RN certificate numbers as applicable;
 - (10) policy statements that address the role of the registered nurse, instructor to trainee ratio for the supervised practical experience, retention of trainee records and attendance requirements;
 - (11) a skills performance checklist as specified in Subparagraph (c)(9) of this Rule; and
 - (12) a certificate of successful completion of the training program.
 - (e) The following requirements shall apply to the competency evaluation for purposes of exempting adult care home staff from the 20 25 or 75 80-hour training as required in Rule .2011 of this Section:
 - (1) The competency evaluation for purposes of exempting adult care home staff from the 20 25 and 75- 80- hour training shall consist of the satisfactory performance of personal care skills and interpersonal and behavioral intervention skills according to the requirement in Subparagraph (c)(9) of this Rule.
 - (2) Any person who conducts the competency evaluation for exemption from the 20 20 or 75- 80- hour training shall be a registered nurse with the same qualifications specified in Subparagraph (c)(1) of this Rule.
 - (3) The competency evaluation shall be conducted in a licensed adult care home or in a facility or laboratory setting comparable to the work setting in which the participant will be performing or supervising the personal care skills.
 - (4) All skills being evaluated shall be performed on humans except for intimate care skills such as perineal and catheter a care, which may be performed on a mannequin.
 - (5) The person being competency evaluated in the setting of the person's employment shall not be considered on duty and counted in the staff-to-resident ratio.
 - (6) An individual, agency or organization seeking to provide the competency evaluation for training exemption purposes shall complete an application available at no charge from the Division of Facility Services, Group Care Licensure Section, Post Office Box 29530, Raleigh, North Carolina 27626-0530 and submit it to the Group Care Licensure Section along with the following information:
 - (A) resume of the person performing the competency evaluation, including the current RN certificate number;
 - (B) a certificate, with the signature of the evaluating registered nurse and the participant's name, to be issued to the person successfully completing the competency evaluation;
 - (C) procedures or steps to be completed in the performance of the personal care and basic nursing skills;
 - (D) a skills performance checklist as specified in

- Subparagraph (c)(9) of this Rule;
(E) a site for the competency evaluation; and
(F) a list of equipment, materials and supplies.

History Note: Authority G.S. 131D-2; 131D-4.3; 131D-4.5; 143B-153; S.L. 99-0334;

Temporary Adoption Eff. January 1, 1996;

Eff. May 1, 1997;

Temporary Amendment Eff. December 1, 1999.

.2013 QUALIFICATIONS OF MEDICATION AIDES AND THEIR SUPERVISORS

(a) Effective January 1, 2000, staff who administer medications, hereafter referred to as medication aides, and staff who directly supervise the administration of medications shall have documentation of successfully completing the clinical skills validation portion of the competency evaluation according to Paragraph (d) and (e) of Rule .2014 of this Section prior to the administration or supervision of the administration of medications. Medication aides shall also meet the staff training and competency requirements according to Rule 42C .2011 of this Section. Persons authorized by state occupational licensure laws to administer medications are exempt from this requirement.

(b) Effective July 1, 2000, medication aides and their direct supervisors, except persons authorized by state occupational licensure laws to administer medications, shall have successfully passed the written examination and clinical skills validation portion of a competency evaluation according to Rule .2014 of this Section prior to administration or supervision of the administration of medications. Medication aides shall also meet the staff training and competency requirements according to Rule .2011 of this Section.

(c) Medication aides and their direct supervisors, except persons authorized by state occupational licensure laws to administer medications, shall complete eight hours of state approved continuing education annually in medication administration.

(d) Effective July 1, 2000, persons taking the competency evaluation for medication administration shall be a high school graduate or certified under the G.E.D. program or shall have passed an alternative examination established by the Department.

(e) Training and competency validation of any unlicensed person who is to administer insulin shall be according to Rule .3703 of this Subchapter. Effective January 1, 2000, the training shall also be required for any unlicensed person who is to administer insulin.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.2014 MEDICATION ADMINISTRATION COMPETENCY EVALUATION

(a) The competency evaluation for medication administration shall be conducted according to guidelines established by the Department and shall consist of a written examination and a clinical skills evaluation. The guidelines will be available at no charge by contacting the Division of Facility Services, Group Care

Licensure Section, 2708 Mail Service Center, Raleigh, NC 27699-2708.

(b) An individual shall score at least 90% on the written examination which shall be a standardized examination established by the Department. After July 1, 2000, the clinical skills portion of the competency validation shall only be conducted after the written exam has been successfully completed.

(c) A certificate of successful completion of the written examination shall be issued to each participant successfully completing the examination. A copy of the certificate shall be maintained and available for review in the facility. The certificate is transferable from one facility to another as proof of successful completion of the written examination.

(d) The clinical skills validation portion of the competency evaluation shall be conducted by a registered nurse or a registered pharmacist consistent with their occupational licensing laws and who has a current unencumbered license in North Carolina. This validation shall be completed for those medication administration tasks to be performed in the facility. Competency validation by a registered nurse is required for unlicensed staff who perform any of the personal care tasks related to medication administration specified in 10 NCAC 42C .3703.

(e) The Medication Administration Skills Validation Form shall be used to document successful completion of the clinical skills validation portion of the competency evaluation for those medication administration tasks to be performed in the facility employing the medication aide. Copies of this form may be obtained at no cost by contacting the Group Care Licensure Section, Division of Facility Services, 2708 Mail Service Center, Raleigh, NC 27699-2708. The completed form shall be maintained and available for review in the facility and is not transferable from one facility to another.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

SECTION .2200 - ARRANGEMENT AND SIZE OF ROOMS

.2207 STORAGE AREAS

(a) Storage areas must be adequate in size and number for separate storage of clean linens, soiled linens, food and food service supplies, and household supplies and equipment.

(b) There must be separate locked areas for storing cleaning agents, bleaches, pesticides, and other substances which may be hazardous if ingested, inhaled or handled. Cleaning supplies must be supervised while in use.

(c) The following shall apply to the storage of drugs:

- (1) All drugs (prescription and non-prescription drugs, including topical preparations) must be stored in a locked cabinet or closet that is ventilated at the rate of two cubic feet per minute for each square foot of floor area and is lighted to provide 30 foot candles of light at floor level and is located other than in the bathroom, kitchen or laundry areas;

- (2) This locked cabinet or closet must be large enough to store all drugs in an orderly manner. Dividers are to be installed or containers provided in the cabinet or closet to separate each resident's drugs with proper labeling for each resident;
- (3) Drugs for external use must be stored in a designated area separate from internal drugs;
- (4) Drugs requiring refrigeration must be stored in a separate locked box in the refrigerator or in a lockable drug-only refrigerator, capable of maintaining a temperature range of 36 degrees F (2 degrees C) to 46 degrees F (8 degrees C);
- (5) First aid supplies must be immediately available and stored separately in a secure and orderly manner, out of the sight of residents and the general public; and
- (6) Drugs may be stored in the resident's room for his self-administration upon the written approval and instructions of the prescriber. The home must take reasonable precautions to assure that they are stored and maintained in a safe and secure manner to protect against contamination, spillage, misidentity and pilferage. In establishing a means for safe storage with the resident and the prescriber, the home must take into account the status of the residents and others living in the home, the degree to which the resident needs immediate access to the drug, and the potential harm of the drug should it be misused.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 1990; April 1, 1987; April 1, 1984;
Temporary Amendment Eff. December 1, 1999.

.2214 BUILDING SERVICE EQUIPMENT

- (a) The building and all fire safety, electrical, mechanical, and plumbing equipment must be maintained in a safe and operating condition.
- (b) There must be an approved central heating system sufficient to maintain 75 degrees F (24 degrees C) under winter design conditions. Built-in electric heaters, if used, must be installed or protected so as to avoid hazards to residents and room furnishings. Unvented fuel burning room heaters and portable electric heaters are prohibited.
- (c) Air conditioning or at least one fan per resident bedroom and living and dining areas must be provided when the temperature in the main center corridor exceeds 88 80 degrees F (31 26.7 degrees C).
- (d) The hot water tank must be of such size to provide an adequate supply of hot water to the kitchen, bathrooms, and laundry. The hot water temperature at all fixtures used by residents must be maintained at a minimum of 100 degrees F (38 degrees C) and must not exceed 116 degrees F (46.7 degrees C).
- (e) All resident areas must be well lighted for the safety and comfort of the residents. The minimum lighting required is:

- (1) 30 foot-candle power for reading;
 - (2) 10 foot-candle power for general lighting; and
 - (3) 1 foot-candle power at the floor for corridors at night.
- (f) Where the bedroom of the live-in staff is located in a separate area from residents' bedrooms, an electrically operated sounding device must be provided connecting each resident bedroom to the live-in staff bedroom. The resident call switches, must be such that they can be activated with a single action and remain on until switched off by staff. The call switch must be within reach of resident lying on his bed.

History Note: Authority G.S. 131D-2; 143B-153; S.L. 99-0334;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. April 1, 1987; April 1, 1984; July 1, 1982;
Temporary Amendment Eff. December 1, 1999.

SECTION .2300 - SERVICES

.2302 HEALTH CARE

- (a) The administrator is responsible for providing occasional or incidental medical care, such as providing therapeutic diets, rotating positions of residents confined to bed, and applying heat pads.
- (b) The resident or his responsible person is to be allowed to choose a physician to attend to him.
- (c) Immediate arrangements must be made by the administrator with the resident or his responsible person for the resident to secure another physician when he cannot remain under the care of his own physician. The name, address and telephone number of the resident's physician is to be recorded on the Resident Register.
- (d) If a resident is hospitalized, a completed FL-2 or patient transfer form must be obtained before the resident can be readmitted to the facility.
- (e) Between annual medical examinations there may be a need for a physician's care. The resident's health services record is to be used by the physician to report any drugs prescribed and any treatment given or recommended for minor illnesses.
- (f) All contacts (office, home or telephone) with the resident's physician are to be recorded on the resident's health services record which is to be retained in the resident's record in the home. The physician's orders shall be included in the resident's health services record including telephone orders initialed by staff and signed by the physician within 15 30 days from the date the order is given.
- (g) The use of a physical restraint refers to the application of a mechanical device to a person to limit movement for therapeutic or protective reasons, excluding siderails for safety reasons. Residents shall be physically restrained only as provided for in the Declaration of Residents' Rights, G.S. 131D-21 (5), and in accordance with the following:
 - (1) The use of physical restraints is allowed only with a written order from a licensed physician. If the order is obtained from a physician other than the resident's attending physician, the attending physician shall be notified of the order within seven days.
 - (2) In emergency situations the administrator or supervisor-

in-charge shall make the determination relative to necessity for the type and duration of the physical restraint to use until a physician is contacted. Contact shall be made within 24 hours.

- (3) The physician shall specify in the restraint order the medical need for the physical restraint, the type to be used, the period of time it is to be used, and the time intervals it is to be checked, loosened, or removed.
- (4) The current order for the physical restraint shall be on or attached to Form FL-2 or Form MR-2 (upon entering the home) or the Report of Health Services to Residents Form, or approved equivalent (for subsequent orders).
- (5) The physician ordering the physical restraint shall update the restraint order at a minimum of every six months.
- (6) If the resident's physician changes after admission to the home, the physician who is to attend the resident shall update and sign the existing restraint order.

(h) The administrator must have specific written instructions recorded as to what to do in case of sudden illness, accident, or death of a resident.

(i) There must be an adequate supply of first aid supplies available in the home for immediate use.

(j) The administrator must make arrangements with the resident, his responsible person, the county department of social services or other appropriate party for appropriate health care as needed to enable the resident to be in the best possible health condition.

History Note: Authority G.S. 131D-2; 143B-153; 143B-165; S.L. 99-0334;

Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

Amended Eff. December 1, 1993; May 1, 1992; July 1, 1990; September 1, 1987;

Temporary Amendment Eff. December 1, 1999.

SECTION .2500 - DISCHARGE POLICIES

.2501 OTHER LIVING ARRANGEMENTS

The administrator must discuss with the resident and his responsible person the need to make other plans for the resident when:

- (1) The resident's physician indicates the resident's condition has improved to the point he can live outside a domiciliary facility with family or community support services;
- (2) The resident's physician certifies that the resident needs professional nursing care or intermediate care under medical supervision. In this situation, plans for other placement must be made as soon as possible and the county department of social services will assist the administrator or resident in making arrangements for necessary care when requested;
- (3) The resident's condition is such that he is a danger to himself or poses a direct threat to the health or safety of others;

(4) The resident makes a written request or otherwise indicates an earnest desire to transfer to another licensed home; and

(5) The resident's adjustment to the home is not satisfactory as determined by the administrator and the resident or his responsible person. This is only to be done after a reasonable period of time during which the resident was provided help with adjusting to the home. It is the responsibility of the administrator to contact the resident's responsible person and the county department of social services and request assistance to help the resident in adjusting. This request is to be made at the first indication of an adjustment problem.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334;

Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

Amended Eff. December 1, 1993; July 1, 1990; April 1, 1987; April 1, 1984;

Temporary Repealed Eff. December 1, 1999.

.2505 REQUIREMENTS FOR DISCHARGE OR TRANSFER

(a) When a discharge or transfer is initiated by the home, the administrator must provide the resident, his family or responsible person and the county department of social services with two weeks (14 days) advance written notification citing the reason for the discharge or transfer.

(b) When a discharge or transfer is initiated by the resident or his responsible person, the resident or his responsible person is to provide the administrator with two weeks (14 days) advance written notification.

(c) Exceptions to the required notice are cases where a delay in discharge or transfer would jeopardize the health or safety of the resident or others in the home.

(d) The discharge or transfer of any resident is prohibited if it would violate the rules of this Subchapter or the Domiciliary Home Residents' Bill of Rights, General Statute 131D-21.

(e) The date of the discharge or transfer and the reason for the move are to be recorded on the Form DSS-1865, the Resident Register.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334;

Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

Amended Eff. July 1, 1990; April 1, 1987; April 1, 1984;

Temporary Repealed Eff. December 1, 1999.

.2506 DISCHARGE OR TRANSFER OF RESIDENTS

(a) A facility shall not initiate and carry out the discharge or transfer of residents except under conditions specified in this Rule. Discharge or transfer involves termination of residency in a facility and taking action to have the resident moved from the facility. The discharge or transfer of a resident by a facility shall meet the following conditions:

- (1) he discharge or transfer is necessary for the resident's welfare because the resident's needs cannot be met in the facility;
- (2) the discharge or transfer is appropriate because the resident's health has improved sufficiently so the resident no longer needs the services provided by the facility;
- (3) the resident's condition is such that he is a danger to himself or poses a direct threat to the health or safety of others;
- (4) the safety of individuals in the facility would otherwise be endangered;
- (5) the health of individuals in the facility would otherwise be endangered;
- (6) the resident or responsible person has failed to pay the costs of services and accommodations according to the resident contract;
- (7) the transfer or discharge is mandated under state law; or the facility ceases to operate.

(b) If a facility discharges or transfers a resident, the reason for discharge or transfer shall be documented in the resident's record. Documentation shall include, but not be limited to, documentation by the resident's physician if discharge or transfer is necessary under conditions specified in Subparagraph (a)(1)-(a)(3) of this Rule or a physician if discharge or transfer is necessary under the condition specified in Subparagraph (a)(5) of this Rule.

(c) At least thirty days before discharging or transferring a resident, the following steps shall be taken:

- (1) The facility shall notify the resident verbally and in writing and the responsible person or contact person in writing of the facility's decision to discharge or transfer the resident. The Adult Care Home Notice of Transfer/Discharge form shall serve as the written notice of discharge or transfer and be completed by the facility and given to the resident on the same day it is dated. A copy of this notice shall be mailed or sent by facsimile to the responsible person or contact person on the same day it is dated. Failure to use and complete this specific form shall invalidate the notice of discharge or transfer. This form may be obtained at no cost from the Division of Medical Assistance, 2505 Mail Service Center, Raleigh, NC 27699-2505.
- (2) The facility shall notify the resident verbally and in writing and the responsible person or contact person in writing of the resident's right to appeal the facility's action of discharge or transfer to the Division of Medical Assistance. The Adult Care Home Hearing Request Form shall be given to the resident and a copy mailed or sent by facsimile to the responsible person or contact person simultaneously with the Adult Care Home Notice of Transfer/Discharge form as written notice of the right to appeal the facility's action. Failure to include this specific form with the Adult Care Home Notice of Discharge/Transfer form shall invalidate the notice of discharge or transfer. The Hearing Request Form may be obtained at no cost from the Division of

Medical Assistance, P.O. Box 29529, Raleigh, NC 27626-0529.

- (3) In cases where the resident has been adjudicated incompetent, the Adult Care Home Notice of Transfer/Discharge form and the Adult Care Home Hearing Request Form shall be mailed or sent by facsimile to the resident's legal representative on the same day they are dated.

- (4) The facility shall maintain a copy of the completed Adult Care Home Notice of Transfer/Discharge form and Adult Care Home Hearing Form in the resident's record.

(d) Exceptions to the 30-day notice of discharge or transfer required in Paragraph (c) of this Rule are cases in which:

- (1) a delay in discharge or transfer would jeopardize the health or safety of the resident or others in the home as documented according to Paragraph (b) of this Rule; or
- (2) the resident's condition improves sufficiently to allow for a more immediate discharge or transfer as documented by a physician.

(e) The facility shall assist residents in the discharge or transfer process to ensure safe and orderly discharge or transfer from the facility.

(f) Except in cases specified in Paragraph (d) of this Rule, the resident or the resident's responsible person may initiate an appeal of a facility's intent to discharge or transfer the resident by submitting a written request for a hearing to the Hearing Unit which is the Chief Hearing Officer and the Chief Hearing Officer's staff in the Division of Medical Assistance of the Department of Health and Human Services. The request for a hearing shall be submitted by mail, facsimile or hand delivery and must be received by the Hearing Unit within 11 calendar days from the date of the facility's notice of discharge or transfer. If the eleventh day falls on a Saturday, Sunday or legal holiday, the period during which an appeal may be requested shall run until the end of the next day which is not a Saturday, Sunday or legal holiday. The resident shall not be discharged or transferred before the final decision resulting from the appeal has been rendered.

(g) If an appeal hearing is requested, the following shall apply:

- (1) Upon timely receipt of a request for a hearing according to Paragraph (h) of this Rule, the Hearing Unit shall promptly notify the facility in writing of the request.
- (2) The facility, the resident and the resident's responsible person or contact person shall be notified by the Hearing Unit of the date, time and place of the hearing. If the hearing is to be conducted in person, it shall be held in Raleigh, North Carolina. The hearing may also be conducted by telephone as indicated on the Hearing Request Form.
- (3) The facility administrator shall assure that all documents and records to be used at the hearing are received by the resident and responsible person or contact person and the Hearing Unit at least five working days prior to the scheduled hearing.
- (4) The Hearing Officer, who is the person designated to preside over hearings between residents and adult care

home providers regarding discharges and transfers, may:

- (A) grant continuances;
 - (B) dismiss a request for a hearing if the resident or the resident's responsible person or whoever the resident has designated to represent him fails to appear at a scheduled hearing; or
 - (C) proceed to conduct a scheduled hearing if a facility representative fails to appear at a scheduled hearing.
- (5) The Rules of Civil Procedure as contained in G.S. 1A-1 and the General Rules of Practice for the Superior and District Courts as authorized by G.S. 7A-34 and found in the Rules Volume of the North Carolina General Statutes shall not apply in any hearings held by a Division hearing officer unless another specific statute or rule provides otherwise. Division hearings are not hearings within the meaning of G.S. 150B and shall not be governed by the provisions of that Chapter unless otherwise stated in these rules. Parties may be represented by counsel or other representative at the hearing.
- (6) The Hearing Officer's final decision shall uphold or reverse the facility's decision. Copies of the final decision shall be mailed by certified mail to the facility and the resident and the resident's responsible person.

(b) If a discharge or transfer is initiated by the resident or responsible person, the administrator may require up to a 14-day written notice from the resident or responsible person prior to the resident leaving the facility. Exceptions to the required notice are cases in which a delay in discharge or transfer would jeopardize the health or safety of the resident or others in the facility. The facility's requirement for a notice from the resident or responsible person shall be established in the facility's resident contract or house rules provided to the resident or responsible person according to Rule .2405 of this Subchapter.

History Note: Authority G.S. 131D-2; 143D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

SECTION .2700 - MEDICAL POLICIES

.2703 MANAGEMENT OF DRUGS

The administrator is responsible for establishing and implementing procedures for the use of drugs by residents in the home that are in accordance with the requirements presented in this Section. The administrator must consult with a pharmacist, physician, public health nurse, or other registered nurse in establishing these procedures:

- (1) Definitions. To assure uniform understanding of these requirements, definitions in the North Carolina Pharmacy Practice Act, General Statute 90-85.3, effective July 1, 1982, are adopted by reference according to General Statute 150B-14(c).
- (2) Dispensing of Drugs:
 - (a) Drugs are to be obtained only on the written order or prescription of a practitioner licensed by

- law to prescribe drugs in this state;
 - (b) These signed practitioner's orders must be maintained in the facility;
 - (c) Verbal orders must be countersigned by the prescriber;
 - (d) Dispensing of drugs is restricted to registered pharmacists or other health care practitioners that are approved by the North Carolina Board of Pharmacy. Repackaging of medications, such as for temporary leave, is an act of dispensing;
 - (e) The administrator must arrange for emergency pharmaceutical services; and
 - (f) Domiciliary homes shall not be permitted to possess a stock of prescription legend drugs for general or common use.
- (3) Labeling of Drugs:
- (a) on-prescription drugs must bear the manufacturer's label with expiration dates clearly visible;
 - (b) The container label of each prescription drug must include the following information:
 - (i) the resident identified clearly by name;
 - (ii) the name of the prescribing practitioner;
 - (iii) the most recent date of issuance;
 - (iv) the directions for use clearly stated and not abbreviated. When the prescriber's directions change or the label becomes illegible, the container must be relabeled at the refilling of the drug and not longer than 60 days;
 - (v) the serial number of a prescription;
 - (vi) the name of the drug as prescribed. If generic equivalent drugs are dispensed, the generic name is to appear on the label;
 - (vii) the strength of the drug;
 - (viii) the quantity of the drug;
 - (ix) the name, address, and telephone number of the pharmacy;
 - (x) the name of the dispensing practitioner; and
 - (xi) the expiration date and other auxiliary statements as required of the drug and as determined by the pharmacist.

(4) Administration of Drugs:

- (a) Drugs, including both prescription and non-prescription drugs, shall not be administered to any resident unless prior authorization has been obtained from a person authorized by law to prescribe drugs in the State. Drugs shall be administered as prescribed.
- (b) The administrator must assure that only persons authorized in writing by a physician, registered nurse, family nurse practitioner, or physician's assistant give injections. Registered nurses and licensed practical nurses are authorized to give injections in accordance with the provisions of the Nursing Practice Act and no further

authorization is required:

- (c) ~~Specific directions for the quantity to be administered, frequency of use, duration of therapy, and route of administration must be clearly indicated by the prescriber for all drugs to be administered. These orders are to be on or attached to the FL-2 or MR-2 upon entering the home, or the DSS-1867 or the equivalent for subsequent orders.~~
- (d) ~~Drugs shall be self-administered only when ordered by the resident's physician.~~
- (e) ~~When self-administration has not been ordered, staff who give drugs to residents must be competent and trained to prepare and administer medications. The administrator is responsible for determining staff capability and assuring the provision of training which must at least consist of demonstrated ability to apply these Rules in this Section and the home's drug administration procedures.~~
- (f) ~~The designated staff person giving the drug must observe the resident actually taking the drug and must follow any laws and regulations governing such acts.~~
- (g) ~~Recording of any administration must promptly follow the direct application of the drug to the body of the resident by injection, inhalation, ingestion, or other means. Precharting is prohibited.~~
- (h) ~~Medication Administration Record (MAR) of all drugs given to each resident must be kept current, recorded before the next routine administration (Example - 8 a.m. administration recorded prior to 12 noon administration), indicating each dose given and is to include the following:~~
 - (i) ~~resident's name;~~
 - (ii) ~~name, strength, and quantity of the drug;~~
 - (iii) ~~instructions for giving drug;~~
 - (iv) ~~date and time drug is administered; and~~
 - (v) ~~name or initials of person giving the drug. If initials are used, a signature equivalent to those initials is to be entered on this record;~~
- (i) ~~Drug administration errors and drug reactions must be reported immediately to the practitioner who ordered the drug. An entry of the drug given and the drug reaction must be properly recorded in the drug record. A resident's refusal of a drug must be charted.~~
- (j) ~~Oral solid drugs that are ordered for routine administration must be prepared for administration within 24 hours of the prescribed time for administration. The administrator must designate appropriately trained staff to be responsible for preparing the drugs for administration. PRN (as needed) drugs are not to be prepared in advance.~~
- (k) ~~If drugs are prepared for administration in advance, the following procedures must be used to keep the drugs identified up~~

~~to the point of administration and protect them from contamination and spillage:~~

- (i) ~~All drugs prepared for subsequent administration are to be kept enclosed in a sealed or capped container until administered. A separate container is to be used for each resident and each planned administration of the drugs;~~
- (ii) ~~The container is to be labeled with the resident's name;~~
- (iii) ~~All containers for a single planned administration are to be placed together on a separate tray or other device that keeps each planned administration separate;~~
- (iv) ~~Each tray or other device is to be labeled clearly indicating the planned time for administration;~~
- (v) ~~Trays or other devices are to be locked in the separate drug storage cabinet or closet to which only authorized persons have access; and~~
- (h) ~~Liquid drugs must be poured immediately before administration:~~
 - (5) ~~Review of Drugs. The administrator is responsible for obtaining a review of each resident's drug regimen at least every six months. A resident's drug regimen is all drugs, both prescription and non-prescription, PRN and routine, which the resident has been taking. It also includes vitamins and nutritional supplements. The main purpose of the drug regimen review is to ensure that the resident's use of drugs is rational. The review also is to determine whether the home is complying with the orders of the resident's physician regarding the management of drugs. The review is to be performed by a pharmacist, physician, public health nurse, or other registered nurse. The administrator must assure that the resident's physician is informed of the results of the review when medical intervention is indicated. The Form FL-2, MR-2, Form DSS-1867 or the equivalent is to be maintained by the facility to record these findings, recommendations and corrective action.~~
 - (6) ~~Storage of Drugs. For requirements on storage of drugs, see Rule .2207 of this Subchapter.~~
 - (7) ~~Disposing of Drugs:~~
 - (a) ~~When a resident leaves the home, his drugs are to be given to him, his family, the person responsible for making the placement or returned to a registered pharmacist; and~~
 - (b) ~~If drugs are discontinued or outdated, or upon the death of a resident, his drugs must be returned to an approved dispensing practitioner or registered pharmacist licensed to practice in this state for documented destruction according to current federal and state laws, with corresponding records maintained by the administrator.~~

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334;
 Eff. January 1, 1977;
 Amended Eff. April 22, 1977;
 Readopted Eff. October 31, 1977;
 Amended Eff. December 1, 1991; September 1, 1990; July 1, 1990;
 April 1, 1987;
Temporary Repealed Eff. December 1, 1999.

SECTION .3400 - LICENSING INFORMATION

.3401 THE LICENSE

(a) The license shall be issued by the Division of Facility Services [based on review of compliance history according to Rule .3902 of this Subchapter and] when minimum requirements for licensing have been met under the rules of this Subchapter. Except as otherwise provided in Rule .3902 of this Subchapter, the Department shall issue an adult care home license to any person who submits an application on the forms provided by the Department if the Department determines that the applicant complies with the provisions of all applicable State adult care home licensure statutes and rules. All applications for a new license shall disclose the names of individuals who are co-owners, partners or shareholders holding an ownership or controlling interest of 5% or more of the applicant entity. The license shall be conspicuously posted in a public place in the home.

(b) The license shall be conspicuously posted in a public place in the home.

(c) The license shall be in effect for 12 months from the date of issuance unless revoked for cause, voluntarily or involuntarily terminated, or changed to provisional licensure status.

(d) A provisional license may be issued in accordance with G.S. 131D-2(b).

(e) When a provisional license is issued, the administrator shall post the provisional license and a copy of the notice from the Division of Facility Services identifying the reasons for it, in place of the full license.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0113;
 Eff. January 1, 1977;
 Readopted Eff. October 31, 1977;
 Amended Eff. April 1, 1984;
 Temporary Amendment Eff. January 1, 1998;
 Amended Eff. April 1, 1999;
Temporary Amendment Eff. December 1, 1999.

.3402 RENEWAL OF LICENSE

(a) The license ~~will~~ shall be renewed annually, except as otherwise provided in Rule .3903 of this Subchapter, [based on review of compliance history according to Rule .3903 of this Subchapter, and] on evidence that: if the licensee submits an application for renewal on the forms provided by the Department and the Department determines that the licensee complies with the provisions of all applicable State adult care home licensure statutes and rules. When violations of licensure rules or statutes are documented and have not been corrected prior to expiration of

license, the Department may approve a continuation or extension of a plan of correction, or may issue a provisional license or revoke the license for cause.

(1) ~~The rules of this Subchapter are being maintained. When violations of these licensure rules or statutes are documented and have not been corrected prior to expiration of license, the Division of Facility Services Department may approve a continuation or extension of a plan of correction, or may issue a provisional license or revoke the license for cause.~~

(2) ~~The following reports have been submitted to the county department of social services within each 12-month period which will forward them to the Division of Facility Services:~~

- (A) ~~Documentation of necessary tests for tuberculosis;~~
- (B) ~~Record of continuing education credits for each administrator and supervisor-in-charge;~~
- (C) ~~DSS-6191 or DSS-1451 (Fire and Building Safety Inspection Report);~~
- (D) ~~DHS-2094 (Sanitation Report); and~~
- (E) ~~DSS-1871 (Annual Recommendation for Renewal of License). This form is to be submitted by the county department of social services at least 45 days in advance of the expiration date of the license, with a copy to the administrator.~~

(b) ~~If the Division of Facility Services has not received the DSS-1871 and the other required licensing materials listed in Subparagraph (a)(2) of this Rule by the expiration date, the license will expire.~~

(b) All applications for license renewal shall disclose the names of individuals who are co-owners, partners or shareholders holding an ownership or controlling interest of 5% or more of the applicant entity.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334;
 Eff. January 1, 1977;
 Readopted Eff. October 31, 1977;
 Amended Eff. December 1, 1992; July 1, 1990; April 1, 1987;
 April 1, 1984;
Temporary Amendment Eff. December 1, 1999.

SECTION .3700 - RESIDENT ASSESSMENT AND CARE

.3701 RESIDENT ASSESSMENT

(a) The facility shall assure that an assessment of each resident is completed within 30 calendar days from the date of admission 72 hours of admitting the resident and annually thereafter using an assessment instrument approved by the Department. The Resident Assessment Instrument, as modified by the Department, shall be the approved assessment instrument. For the purposes of this Subchapter, the assessment is a functional assessment to determine a resident's level of functioning to include routines, preferences, needs, mood and psychosocial well-being, cognitive status and physical functioning in activities of daily living. Activities of daily

living are personal functions essential for the health and well-being of the resident which are bathing, dressing, personal hygiene, ambulation or locomotion, transferring, toileting and eating. The assessment shall indicate if the resident requires referral to the resident's physician or other appropriate licensed health care professional or community resource.

(b) The facility shall assure a reassessment of a resident is completed within 10 days of a significant change in the resident's condition. For the purposes of this Subchapter, reassessment is any assessment as defined in Paragraph (a) of this Rule other than the initial and annual assessments.

(c) For the purposes of this Subchapter, significant change in the resident's condition is defined as follows:

- (1) Significant change is one or more of the following:
 - (A) deterioration in two or more activities of daily living;
 - (B) change in ability to walk or transfer;
 - (C) change in the ability to use one's hands to grasp small objects;
 - (D) deterioration in behavior or mood to the point where daily problems arise or relationships have become problematic;
 - (E) no response by the resident to the treatment for an identified problem;
 - (F) initial onset of unplanned weight loss or gain of five percent of body weight within a 30-day period or 10 percent weight loss or gain within a six-month period;
 - (G) threat to life such as stroke, heart condition, or metastatic cancer;
 - (H) emergence of a pressure ulcer at Stage II or higher;
 - (I) a new diagnosis of a condition likely to affect the resident's physical, mental, or psychosocial well-being over a prolonged period of time such as initial diagnosis of Alzheimer's disease or diabetes;
 - (J) improved behavior, mood or functional health status to the extent that the established plan of care no longer matches what is needed;
 - (K) new onset of impaired decision-making;
 - (L) continence to incontinence or indwelling catheter; or
 - (M) the resident's condition indicates there may be a need to use a restraint and there is no current restraint order for the resident.
- (2) Significant change is not any of the following:
 - (A) changes that suggest slight upward or downward movement in the resident's status;
 - (B) short-term changes that resolve with or without intervention;
 - (C) changes that arise from easily reversible causes;
 - (D) a short-term acute illness or episodic event;
 - (E) a well-established, predictive, cyclical pattern; or
 - (F) steady improvement under the current course of care.

(d) If a resident experiences a significant change as defined in Paragraph (c) of this Rule, the facility shall refer the resident to the resident's physician or other appropriate licensed health professional such as a mental health professional, nurse practitioner, physician assistant or registered nurse in a timely manner consistent with the resident's condition but no longer than 10 days from the significant change, and document the referral in the resident's record.

(e) The assessment and reassessment shall be completed and signed by the administrator or a person designated by the administrator to perform resident assessments or reassessments.

(f) The facility administrator or a person designated by the administrator to perform resident assessments and reassessments shall successfully complete Department-approved training on assessing residents by July 1, 1996: a date specified by the Department. After this date, the administrator or person designated by the administrator to perform assessments and reassessments shall have successfully completed the assessment training before performing any assessments or reassessments of residents. Registered nurses are exempt from the assessment training. Documentation of assessment training shall be maintained in the facility and available for review.

History Note: Authority G.S. 131D-2; 131D-4.3; 131D-4.5; 143B-153; S.L. 99-0334;

Temporary Adoption Eff. January 1, 1996;

Temporary Amendment Eff. December 1, 1999.

.3703 LICENSED HEALTH PROFESSIONAL SUPPORT

(a) The facility shall assure that a registered nurse, licensed under G.S. 90, Article 9A, participates in the on-site review and evaluation of the residents' health status, status, and care plan and care provided for residents requiring, but not limited to, one or more of the following personal care tasks. The review and evaluation shall be completed within the first 45 30 days of admission or within 30 days from the date a resident develops the need for the task and at least every 90 days quarterly thereafter, for newly admitted residents requiring, but not limited to, one or more of the following personal care tasks, and at least every 90 days for current residents requiring:

- (1) applying and removing ace bandages, ~~TED's~~ ted hose and binders;
- (2) feeding techniques for residents with swallowing problems;
- (3) bowel or bladder retraining training programs involving hands-on; and ~~invasive activities such as enemas, suppositories, and catheterizations; to regain continence;~~
- (4) invasive activities such as enemas, suppositories and vaginal douches;
- ~~(4)~~ (5) urinary catheterizations;
- ~~(5)~~ (6) chest physiotherapy or postural drainage;
- ~~(6)~~ (7) clean or sterile dressing changes;
- ~~(7)~~ (8) collecting or testing of blood or urine samples and taking action based on the results;
- ~~(8)~~ (9) colostomy or ileostomy care;

- (9) ~~(10)~~ decubitus care for stages I-IV wounds; care for decubitus ulcers;
- ~~(10)~~ (11) irrigation of wounds, or urinary catheters or access devices;
- ~~(11)~~ (12) inhalation medication by machine;
- ~~(12)~~ (13) maintaining accurate intake and output data;
- ~~(13)~~ (14) medication administration through gastrostomy feeding tube;
- ~~(14)~~ (15) medication administration through injection or vascular access;
- ~~(15)~~ (16) insulin administration or other subcutaneous injections of medications, excluding anticoagulants such as heparin;
- ~~(16)~~ (17) administration of orders for more than 10 medications within a 30-day period, excluding over-the-counter medications ordered on an as-needed basis;
- ~~(17)~~ (18) oxygen administration and monitoring;
- ~~(18)~~ (19) the monitoring of care for any of residents who are physically restrained and the use of care practices as alternatives to restraints;
- ~~(19)~~ (20) oral or pharyngeal suctioning;
- ~~(20)~~ (21) testing urine samples and taking action based on the results;
- ~~(21)~~ (22) tracheostomy care;
- ~~(22)~~ (23) transferring semi-ambulatory or non-ambulatory residents;
- ~~(23)~~ (24) administering and monitoring of gastrostomy tube feedings; or
- ~~(24)~~ (25) adjusting medications as ordered based on vital signs.

(b) The facility shall assure that a registered nurse, occupational therapist licensed under G.S. 90, Article 18D or physical therapist licensed under G.S. 90-270.24, Article 18B, participates in the on-site review and evaluation of the residents' health status, and care plan and care provided within the time frames specified in Paragraph (a) of this Rule for those residents who require one or more of the following personal care tasks:

- (1) application of prescribed heat therapy;
- (2) application and removal of prosthetic devices; devices except as used in early post-operative treatment for shaping of the extremity;
- (3) gait training using assistive devices;
- (4) range of motion exercises;
- (5) any other prescribed physical or occupational therapy; therapy; or
- (6) transferring semi-ambulatory or non-ambulatory residents.

(c) The facility shall assure that a registered nurse or respiratory therapist validates the competency of staff for personal care tasks (6), (12), (17), (19) and (20) specified in Paragraph (a) of this rule.

(d) The facility shall assure that participation by a registered nurse, occupational therapist or physical therapist in the on-site review and evaluation of the residents' health status, and care plan and care provided by a registered nurse, occupational therapist or physical therapist as specified in Paragraphs (a) and (b) of this Rule includes:

- (1) ~~identifying~~ assuring the appropriate that persons with appropriate knowledge and skills are to provide

~~providing care and perform performing the tasks consistent with Section .0400 of 21 NCAC Chapter 36, Unlicensed Personnel-Nurse Aides;~~

- (2) (1) teaching or validating competencies reviewing competency validation of assuring that licensed practical nurses or and non-licensed personnel who will provide providing care and perform and performing the tasks are competency validated according to Paragraphs (e), (f) and (g) of this Rule;

- (2) performing a physical assessment of the residents as related to their diagnosis and current condition;
- (3) evaluating the resident's response progress to care being provided;
- (4) reviewing and, if necessary, recommending changes in the care plan care of the resident as needed; and
- (5) documenting the activities in Subparts (1) through (4) of this Paragraph.

(e) The facility shall assure that teaching and validating competencies of licensed practical nurses and non-licensed personnel who will provide care and perform personal care tasks specified in Paragraph (a) and (b) of this Rule is by a registered nurse, registered pharmacist, occupational therapist, physical therapist or respiratory therapist as specified in Paragraphs (a), (b), (c) and (f) of this Rule. The facility shall assure that competency validation of staff is completed prior to staff performing the personal care task and documentation is on file in the facility and readily available.

(f) The facility shall assure that training and competency validation on the care of residents with diabetes is provided to unlicensed staff prior to the administration of insulin as follows and documented:

- (1) Training shall be provided by a registered nurse or registered pharmacist.
- (2) Training shall include at least the following:
 - (A) basic facts about diabetes and activities involved in the management of diabetes;
 - (B) insulin action;
 - (C) insulin storage;
 - (D) injection techniques and site rotation;
 - (E) treatment and prevention of hypoglycemia and hyperglycemia, including signs, symptoms;
 - (F) lab testing and blood glucose monitoring; and
 - (G) universal precautions.
- (3) Competency validation of insulin administration shall be provided by a registered nurse. Competency validation of blood glucose monitoring shall be provided by a registered nurse or a registered pharmacist.

(g) The facility shall assure that any staff who perform personal care tasks listed in Paragraphs (a) and (b) of this Rule are at least annually observed providing care to residents by a licensed registered nurse or other appropriate licensed health professional, as specified in Paragraphs (a), (b), (c) and (f) of this Rule, who is employed by the facility or under contract or agreement, individually or through an agency, with the facility.

History Note: Authority G.S. 131D-2; 131D-4.3; 131D-4.5; 143B-153; S.L. 99-0334;

Temporary Adoption Eff. January 1, 1996;

Eff. May 1, 1997;

Temporary Amendment Eff. December 1, 1999.

SECTION .3800 - MEDICATIONS

.3801 MEDICATION ADMINISTRATION POLICIES AND PROCEDURES

(a) The facility shall ensure the development and implementation of written policies and procedures for the ordering, receiving, storage, discontinuation, disposition and administration of medications, including self-administration of medications. Orientation of policies and procedures shall be provided to new staff responsible for medication administration prior to staff administering medications.

(b) The facility shall consult with a licensed health professional who is authorized to dispense or administer medications in developing medication policies and procedures.

(c) Medication policies and procedures shall comply with requirements of this Section and all applicable state and federal regulations, including definitions in the North Carolina Pharmacy Practice Act, G.S. 90-85.3, which are hereby incorporated by reference including all subsequent amendments and editions.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.3802 MEDICATION ORDERS

(a) The facility shall ensure that medication orders are verified by the resident's physician if the FL-2 is not dated within 24 hours of admission to the facility or readmission of a resident from the hospital and that this verification is documented in the resident's record.

(b) All orders for medications, prescription and non-prescription, shall be maintained in the resident's record in the facility.

(c) The medication orders shall be complete and include the following:

- (1) medication name;
- (2) strength of medication;
- (3) dosage of medication to be administered;
- (4) route of administration;
- (5) specific directions of use, including frequency of administration; and
- (6) if ordered on an as needed basis, a clearly stated indication for use.

(d) The facility shall assure contact of the physician for clarification if medication orders are not clear or incomplete.

(e) Verbal medication orders shall be:

- (1) countersigned by the prescriber within 15 days from the date the order is given;
- (2) signed or initialed and dated by the person receiving the order; and
- (3) accepted only by a licensed nurse, pharmacist, or qualified staff responsible for medication administration.

(f) Any standing orders shall be for individual residents and signed and dated by the resident's physician or prescribing practitioner.

(g) The facility shall assure that all current medication orders, including standing orders and orders for self-administration, are reviewed and signed by the residents physician or prescribing practitioner at least every six months.

(h) Psychotropic medications ordered "as needed" by a licensed practitioner, shall not be administered unless the practitioner has provided detailed behavior-specific written instructions, including symptoms that might require use of the medication, exact dosage, exact time frames between dosages and the maximum dosage to be administered in a twenty-four hour period. The facility shall assure that staff receives training and inservice programs about the desired and undesired effects of psychotropic medications, including alternative behavior interventions.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.3803 MEDICATION LABELS

(a) Prescription legend medications shall have a legible label with the following information:

- (1) the name of the resident for whom the medication is prescribed;
- (2) the most recent date of issuance;
- (3) the name of the prescriber;
- (4) the name and concentration of the medication, quantity dispensed, and prescription serial number;
- (5) directions for use clearly stated and not abbreviated;
- (6) a statement of generic equivalency shall be indicated if a brand other than the brand prescribed is dispensed;
- (7) the expiration date, unless dispensed in a single unit or unit dose package that already has an expiration date;
- (8) auxiliary statements as required of the medication;
- (9) the name, address, telephone number of the dispensing pharmacy; and
- (10) the name or initials of the dispensing pharmacist.

(b) For medication systems such as med paks and multi-paks when two or more solid oral dosage forms are packaged and dispensed together, labeling shall be in accordance with Paragraph (a) of this Rule and the label or package shall also have a physical description or identification of each medication contained in the package.

(c) The facility shall assure the container is relabeled by a pharmacist or a dispensing practitioner at the refilling of the medication when there is a change in the directions by the prescriber. The facility shall have a procedure for identifying direction changes until the container is correctly labeled. No person other than a pharmacist or dispensing practitioner shall alter a prescription label.

(d) Non-prescription medications shall have the manufacturer's label with the expiration date clearly visible, unless the container has been labeled by a pharmacist or a dispensing practitioner. Non-prescription medications in the original manufacturer's

container shall be labeled with at least the resident's name and the name shall not obstruct any of the information on the container. Facility staff may label or write the resident's name on the container.

(e) Medications, prescription and non-prescription, shall not be transferred from one container to another except when prepared for administration to a resident.

(f) Prescription medications leaving the facility shall be in a form packaged and labeled by a pharmacist or a dispensing practitioner. Non-prescription medications that are not packaged or labeled by a pharmacist or dispensing practitioner must be released in the original container and directions for administration must be provided to the resident or responsible party. The facility shall assure documentation of medications, including quantity, released and returned to the facility.

Note: Dispensing of medications is restricted to pharmacists or other health care practitioners that are approved by the North Carolina Board of Pharmacy. Repackaging or providing more than one dose of a prescription medication, including unit dose prescription medications, for subsequent administration is an act of dispensing.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.3804 MEDICATION ADMINISTRATION

(a) The facility shall assure that staff administer medications, prescription and non-prescription, according to orders by a licensed prescribing practitioner.

(b) Only staff meeting the requirements according to Rule .2013 of this Subchapter shall administer medications, including the preparation of medications for administration.

(c) Only oral solid medications that are ordered for routine administration may be prepared in advance and must be prepared within 24 hours of the prescribed time for administration. Medications prescribed for prn (as needed) administration shall not be prepared in advance.

(d) Liquid medications, including powders or granules that require to be mixed with liquids for administration, and injectables shall be prepared immediately before administration to a resident.

(e) Medications shall not be crushed for administration until immediately before the medications are administered to the resident.

(f) If medications are prepared for administration in advance, the following procedures shall be implemented to keep the drugs identified up to the point of administration and protect them from contamination and spillage:

- (1) Medications are dispensed in a sealed package such as unit dose and multi-paks that is labeled with at least the name of each medication and strength in the sealed package. The labeled package of medications is to remain unopened and kept enclosed in a capped or sealed container that is labeled with the resident's name, until the medications are administered to the resident. If the multi-pak is also labeled with the resident's name, it does not have to be enclosed in a capped or sealed

container;

- (2) Medications not dispensed in a sealed and labeled package as specified in Subparagraph (f)(1) of this Rule are kept enclosed in a sealed container that identifies at least the name and strength of each medication prepared and the resident's name;

- (3) A separate container is used for each resident and each planned administration of the medications and labeled according to Subparagraph (f)(1) or (f)(2) of this Rule;

- (4) All containers are placed together on a separate tray or other device that is labeled clearly with the planned time for administration and stored in a locked area which is only accessible to staff as specified in Rule .3806(d) of this Section.

(g) Medications shall be administered within one hour before or one hour after the prescribed or scheduled time unless precluded by emergency situations.

(h) If medications are not prepared and administered by the same staff person, there shall be documentation for each dose of medication prepared for administration by the staff person who prepared the medications.

(i) The recording of the administration on the medication administration record shall be by the staff person who administers the medication immediately following administration of the medication to the resident and observation of the resident actually taking the medication and prior to the administration of another resident's medication. Pre-charting is prohibited.

(j) The resident's medication administration record (MAR) shall be accurate and include following:

- (1) resident's name;
- (2) name of medication;
- (3) strength and dosage or quantity of medication administered;
- (4) instructions for administering the medication;
- (5) reason or justification for the administration of medications as needed (PRN) and documenting the resulting effect on the resident;
- (6) date and time of administration; and
- (7) name or initials of the person administering the medication. If initials are used, a signature equivalent to those initials is to be documented and maintained with the medication administration record (MAR).

(k) The facility shall have a system in place to ensure the resident is identified prior to the administration of any medication.

(l) Omission of medications and the reason for the omission, including refusals, shall be documented on the medication administration record (MAR).

(m) The facility shall assure the development and implementation of policies and procedures governing medication errors and adverse medication reactions that include documentation of at least the following:

- (1) notification of a physician or appropriate health professional and supervisor;
- (2) action taken by the facility according to orders by the physician or appropriate health professional; and
- (3) charting or documentation errors, unavailability of a medication, resident refusal of medication, any adverse

medication reactions and notification of the resident's physician when necessary.

(n) Medication administration supplies, such as graduated measuring devices shall be available and used by facility staff in order for medications to be accurately and safely administered.

(o) The facility shall assure that medications are administered in accordance with infection control measures that help to prevent the development and transmission of disease or infection, prevent cross-contamination and provide a safe and sanitary environment for staff and residents.

(p) A resident's medication shall not be administered to another resident except in an emergency. In the event of an emergency, steps shall be taken to ensure that the borrowed medications are replaced promptly and that the borrowing and replacement of the medication is documented.

(q) Only oral, topical (including ophthalmic and otic medications), inhalants, rectal and vaginal medications, subcutaneous injections and medications administered by gastrostomy tube and nebulizers shall be administered by persons who are not authorized by state occupational licensure laws to administer medication.

(r) Unlicensed staff may not administer injections other than insulin and other subcutaneous injections, excluding anticoagulants such as heparin. The unlicensed person may not administer insulin or other subcutaneous injections prior to meeting the requirements for training and competency validation as stated in Rule .3703 of this Subchapter.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.3805 SELF-ADMINISTRATION OF MEDICATIONS

(a) The facility shall permit residents who are competent and physically able to self-administer to self-administer their medications if the following requirements are met:

- (1) the self-administration is ordered by a physician or other person legally authorized to prescribe medications in North Carolina and documented in the resident's record; and
- (2) specific instructions for administration of prescription medications are printed on the medication label.

(b) When there is a change in the resident's mental or physical ability to self-administer or resident non-compliance with the physician's orders or the facility's medication policies and procedures the facility shall notify the physician. A resident's right to refuse medications does not imply the inability of the resident to self-administer medications.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.3806 MEDICATION STORAGE

(a) Medications that are self-administered and stored in the resident's room shall be stored in a safe and secure manner as

specified in the facility's medication storage policy and procedures.

(b) All prescription and non-prescription medications stored by the facility, including those requiring refrigeration, shall be maintained in a safe manner under locked security except when under the immediate or direct physical supervision of staff in charge of medication administration.

(c) The medication storage area shall be clean, well-lighted, well-ventilated, large enough to store medications in an orderly manner, and located in areas other than the bathroom, kitchen or utility room. Medication carts shall be clean and medications shall be stored in an orderly manner.

(d) Accessibility to locked storage areas for medications shall only be by staff responsible for medication administration and administrator or person in charge.

(e) Medications intended for topical or external use, except for ophthalmic, otic and transdermal medications, shall be stored in a designated area separate from the medications intended for oral and injectable use. Medications shall be stored apart from cleaning agents and hazardous chemicals.

(f) Medications requiring refrigeration shall be stored at 36 degrees F to 46 degrees F (2 degrees C to 8 degrees C).

(g) Medications shall not be stored in a refrigerator containing non-medications and non-medication related items, except when stored in a separate container. The container shall be locked when storing medications unless the refrigerator is locked or is located in a locked medication area.

(h) The facility shall not possess a stock of prescription legend medications for general or common use except for the following:

- (1) irrigation solutions in single unit quantities exceeding 49 ml. and related diagnostic agents;
- (2) diagnostic agents;
- (3) vaccines; and
- (4) water for injection and normal saline for injection.

(i) First aid supplies shall be immediately available, stored out of sight of residents and visitors and stored separately in a secure and orderly manner.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.3807 MEDICATION DISPOSITION

(a) Medications shall be released to or with a resident upon discharge if the resident has a physician's order to continue the medication. Prescribed medications are the property of the resident and shall not be given to, or taken by, other staff or residents according to Rule .3804(m) of this Subchapter.

(b) Medications, excluding controlled medications, that are expired, discontinued, prescribed for a deceased resident or deteriorated shall be stored separately from actively used medications until disposed of.

(c) Medications, excluding controlled medications, shall be destroyed at the facility or returned to a pharmacy within 30 days of the expiration or discontinuation of medication or following the death of the resident.

(d) All medications destroyed at the facility shall be destroyed

by the administrator or the administrator's designee and witnessed by a pharmacist, a dispensing practitioner, or their designee. The destruction shall be conducted so that no person can use, administer, sell or give away the medication.

(e) Records of medications destroyed or returned to the pharmacy shall include the resident's name, the name and strength of the medication, the amount destroyed or returned, the method of destruction if destroyed in the facility and the signature of the administrator or the administrator's designee and the signature of the pharmacist, dispensing practitioner or their designee. These records shall be maintained by the facility for a minimum of one year.

(f) A dose of any medication prepared for administration and accidentally contaminated or not administered shall be destroyed at the facility according to the facility's policies and procedures.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.3808 CONTROLLED SUBSTANCES

(a) The facility shall assure a readily retrievable record of controlled substances by documenting the receipt, administration and disposition of controlled substances. These records shall be maintained with the resident's record and in order that there can be accurate reconciliation.

(b) Controlled substances may be stored together in a common location or container. If Schedule II medications are stored together in a common location, the Schedule II medications shall be under double lock.

(c) Controlled substances that are expired, discontinued or no longer required for a resident shall be returned to the pharmacy. The facility shall document the resident's name; the name, strength and dosage form of the controlled substance and the amount returned. There shall also be documentation by the pharmacy of the receipt or return of the controlled substances. Records of controlled substances returned to the pharmacy shall be maintained by the facility for a minimum of three years.

(d) Discontinued or expired controlled substances to be returned to the pharmacy shall be stored securely in a locked area apart from actively used medications until returned.

(e) A dose of a controlled substance accidentally contaminated or not administered shall be destroyed at the facility. The destruction shall be documented on the medication administration record (MAR) or the controlled substance record showing the time, date, quantity, manner of destruction and the initials or signature of the person destroying the substance.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.3809 PHARMACEUTICAL CARE

(a) The facility shall obtain the services of a licensed pharmacist, prescribing practitioner or registered nurse for the provision of pharmaceutical care at least every 90 days for

residents or as frequent as determined by the Department, based on the documentation of significant medication problems identified during monitoring visits or other investigations in which the safety of the residents may be at risk. Pharmaceutical care involves the identification, prevention and resolution of medication related problems which includes at least the following:

(1) an on-site medication review for each resident which includes at least the following:

(A) the review of information in the resident's record such as diagnoses, history and physical, discharge summary, vital signs, physician's orders, progress notes, laboratory values and medication administration records, including current medication administration records;

(B) ensuring that medications are administered as prescribed; making recommendations for change, if necessary, based on desired medication outcomes and ensuring that the appropriate authorized prescribing practitioner is so informed; and

(C) ensuring that any undesired side effects, potential and actual drug reactions or interactions, and medication errors are identified and reported to the appropriate prescribing practitioner.

(2) review of all aspects of medication administration including the observation of at least one medication administration pass and inspection of medication storage areas;

(3) review of the medication system utilized by the facility, including packaging, labeling and availability of medications;

(4) review the facility's procedures and records for the disposition of medications and provide assistance, if necessary;

(5) provision of a written report of findings and any recommendations for change to the facility and the physician or appropriate health professional, when necessary;

(6) conducting in-service programs as needed for facility staff on medication usage that includes, but not limited to the following:

(A) potential or current medication related problems identified;

(B) new medications;

(C) side effects and medication interactions; and

(7) policies and procedures; and

(8) documentation of the activities in Subparagraphs (1) through (6) of Paragraph (a) of this Rule. The results of the medication review of each resident's medication therapy shall be documented in the resident's record.

(b) The facility shall assure action is taken as needed in response to the medication review and documented, including that the physician or appropriate health professional has been informed of the findings when necessary.

(c) The facility shall maintain the findings and reports resulting from the activities in Subparagraphs (1) through (6) of Paragraph

(a) of this Rule in the facility, including action taken by the facility.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.3810 PHARMACEUTICAL SERVICES

(a) The facility shall allow the resident the right to choose a pharmacy provider as long as the pharmacy will provide services that are in compliance with the facility's medication management policies and procedures.

(b) There shall be a current, written agreement with the pharmacy provider for each pharmaceutical service provided, i.e., dispensing and consulting, which includes a statement of the responsibility of each party.

(c) The facility shall assure the provision of emergency pharmaceutical services and this shall be included in the written agreement with the pharmacy provider.

(d) The facility shall assure the provision of medication for residents on temporary leave from the facility or involved in day activities out of the facility.

(e) The facility shall assure that accurate records of the receipt, use and disposition of medications are maintained in the facility and readily available for review.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

SECTION .3900 - FAMILY CARE HOME LICENSE ELIGIBILITY

.3901 DEFINITIONS

The following definitions shall apply throughout this Section:

- (1) "Person" means an individual, a trust or estate, a partnership, a corporation or a collection of individuals who together own controlling interest of a partnership or a corporation.
- (2) "Owner" means any person who has legal or equitable title to or a majority interest in an adult care home.
- (3) "Affiliate" means any person that directly or indirectly controls an adult care home or any person who is controlled by a person who controls an adult care home. In addition, two or more adult care homes who are under common control are affiliates.
- (4) "Principal" means any person who is the owner or operator of an adult care home, an executive officer of a corporation that owns or operates an adult care home, a general partner of a partnership that owns or operates an adult care home, or a sole proprietorship that owns or operates an adult care home.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0113; 99-0334;

Temporary Adoption Eff. December 1, 1999.

.3902 PERSONS NOT ELIGIBLE FOR NEW ADULT CARE HOME LICENSES

(a) Pursuant to G.S. 131D-2(b)(1b), no new license shall be issued for any adult care home to an applicant who:

- (1) is the owner, affiliate or principal of an adult care home that had its license revoked until one full year after the date of revocation;
- (2) is the owner, principal or affiliate of an adult care home that was assessed a penalty for a Type A or Type B violation until the earlier of one year from the date the penalty was assessed or until the home has substantially complied with the correction plan established pursuant to G.S. 131D-34 and substantial compliance as been certified by the Department; or
- (3) is the owner, principal or affiliate of an adult care home that had its license summarily suspended or downgraded to provisional status as a result of Type A or Type B violations until six months from the date of reinstatement of the license, restoration from provisional to full licensure, or termination of the provisional license, as applicable.

(b) Additionally, no new license shall be issued for any adult care home to an applicant for licensure who is the owner, principal or affiliate of an adult care home that has had its admissions suspended until six months after the suspension is lifted.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0113; 99-0334;

Temporary Adoption Eff. December 1, 1999.

.3903 ADULT CARE HOMES NOT ELIGIBLE FOR LICENSE RENEWAL

(a) An adult care home is not eligible to have its license renewed if the compliance history of the facility demonstrates a pattern of noncompliance with State law and licensure rules or disregard for the health, safety and welfare of residents as determined by the number and severity of administrative sanctions levied against the facility until the Department certifies that it is in substantial compliance.

(b) An adult care home is not eligible to have its license renewed if any person who is an owner, affiliate or principal of the applicant facility is also an owner, affiliate or principal of an adult care home that had its license revoked until one full year after the date of such revocation.

(c) An adult care home is not eligible to have its license renewed if any person who is an owner, affiliate or principal of the applicant is also an owner, affiliate or principal of an adult care home that had its license summarily suspended until six months after the date of such suspension.

(d) An adult care home is not eligible to have its license renewed if any person who is an owner, affiliate or principal of the applicant facility is also an owner, affiliate or principal of an adult care home that has a demonstrated pattern of noncompliance with State law and licensure rules or disregard for the health, safety and welfare of the residents as determined by the number and severity of administrative sanctions levied against an adult care home until

the Department has certified substantial compliance by such facility.

(e) Pursuant to G.S. 131D-2(b)(1), an adult care home is not eligible to have its license renewed if any outstanding fines or penalties imposed by the Department have not been paid; provided, however that if an appeal is pending the fine or penalty will not be considered imposed until the appeal is resolved.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

SUBCHAPTER 42D - LICENSING OF HOMES FOR THE AGED AND INFIRM

SECTION .1300 - MANAGEMENT

.1301 MANAGEMENT OF FACILITIES WITH A CAPACITY OR CENSUS OF SEVEN TO TWENTY RESIDENTS

(a) The requirements in Paragraphs (a) and (c) of Rule 10 NCAC 42C .1901 shall control for this Subchapter. Subchapter for facilities with a capacity or census of 7 to 20 residents.

(b) At all times there must be one administrator or supervisor-in-charge who is directly responsible for assuring that all required duties are carried out in the home and for assuring that at no time is a resident left alone in the home without a staff member. In addition to the requirements in 10 NCAC 42C .1901(a) and (c), one of the following arrangements must be used to manage a home for the aged and disabled:

- (1) The administrator lives in the home, or resides within 500 feet of the home and is immediately available. To be immediately available, the administrator must be on stand-by and have direct access to either a two-way intercom system or a two-way intercom line on the existing telephone system that connects the licensed home with the private residence of the administrator. The equipment installed must be in working condition and must be located in the bedroom of the administrator; or
- (2) The administrator employs a supervisor-in-charge to live in the home or reside within 500 feet of the home and be immediately available. The conditions of being "immediately available" cited in Subparagraph (b)(1) of this Rule shall apply to this arrangement; or
- (3) The administrator employs supervisors-in-charge, at least one of whom will be awake and on-duty during each shift (first, second, and third); or
- (4) When there is a cluster of licensed homes, each with a capacity of 7 to 12 residents, located adjacently on the same site, there must be at least one staff member, either live-in or on a shift basis in each of these homes. In addition, there must be at least one administrator or supervisor-in-charge who lives within 500 feet of each home, is immediately available, and who is directly responsible for assuring that all required duties are

carried out in each home. To be immediately available, the administrator or supervisor-in-charge must be on stand-by and have direct access to either a two-way intercom system or a two-way intercom line on the existing telephone system that connects these homes with each other and with the residence of the administrator or supervisor-in-charge. The equipment installed must be in working condition and must be located in the bedroom of the administrator or supervisor-in-charge.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334;

Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

Amended Eff. July 1, 1990; April 1, 1987; April 1, 1984;

Temporary Amendment Eff. December 1, 1999.

.1302 THE CO-ADMINISTRATOR

The rules stated in 10 NCAC 42C .1902 shall control for this Subchapter.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334;

Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

Temporary Repealed Eff. December 1, 1999.

.1303 MANAGEMENT OF FACILITIES WITH A CAPACITY OF 21 OR MORE RESIDENTS

(a) A facility shall be under the direct control of a certified administrator, hereafter referred to as administrator, who shall be responsible for the operation, administration, management and supervision of the facility on a full-time basis to assure that all care and services to residents are provided in accordance with all applicable local, state and federal regulations and codes. The administrator shall be on duty in the facility at least eight hours per day, five days per week and shall not serve simultaneously as a personal care aide supervisor or other staff to meet staffing requirements. If there is more than one facility on a contiguous parcel of land or campus setting, and the combined licensed capacity of the facilities is 200 beds or less, there may be one administrator on duty for all the facilities on the campus.

(b) When the administrator is not on duty in the facility, there shall be a person designated as administrator-in-charge on duty in the facility who has responsibility for the overall operation of the facility. Each facility on a contiguous parcel of land or campus setting, as described in Paragraph (a) of this Rule, shall have a person designated as the administrator-in-charge in the facility when the administrator is not on duty.

(c) The administrator-in-charge shall meet the following qualifications:

- (1) be 21 years or older;
- (2) be at least a high school graduate or certified under the G.E.D. program or have passed an alternative examination established by the Department;
- (3) meet the general health requirements according to Rule

.1406 of this Subchapter; and

- (4) earn at least 12 hours a year of continuing education credits related to the management of adult care homes and care of aged and disabled persons in accordance with procedures established by the Department.

(d) The administrator shall be able to be contacted by telephone, pager or two-way intercom at all times when not in the building.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

SECTION .1400 - PERSONNEL

.1401 QUALIFICATIONS OF ADMINISTRATOR AND CO-ADMINISTRATOR

The requirements in 10 NCAC 42C .2001 and .2009 shall control for this Subchapter except that the administrator or co-administrator must verify that he has worked in a licensed domiciliary facility for at least 90 days in an approved on-the-job training program or verify that he has past education, training and experience related to the management and operation of adult residential care facilities:

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334;

Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

Amended Eff. April 1, 1984;

ARRC Objection Lodged November 14, 1990;

Amended Eff. May 1, 1991;

Temporary Repealed Eff. December 1, 1999.

.1402 QUALIFICATIONS OF SUPERVISOR-IN-CHARGE

The rules stated in 10 NCAC 42C .2002 shall control for this Subchapter. Subchapter for facilities with a capacity or census of 7 to 20 residents.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334;

Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

Temporary Amendment Eff. December 1, 1999.

.1407 STAFFING

(a) In addition to the requirements set forth in Paragraphs (b) through (e) of this Rule, the requirements in 10 NCAC 42C .2005 shall control for this Subchapter. References to homes in Paragraphs (b) through (e) of this Rule refer to homes for the aged and disabled.

(b) Homes must staff to the licensed capacity of the home or to the resident census. When a home is staffing to resident census, a daily census log must be maintained which lists current residents by name, room assignment and date of admission and must be available for review by the monitoring and licensing agencies.

(c) Homes with capacity or census of 12 or fewer residents:

- (1) At all times there must be an administrator or supervisor-in-charge in the home or within 500 feet of the home and immediately available;

- (2) A free standing home with capacity or census of 12 or fewer residents must comply with the following staffing:

- (A) When the administrator or supervisor-in-charge is not on duty within the home, there must be at least one staff member on duty on the first and second shifts and at least one staff member on call within the building on third shift. There must be a call system connecting the bedroom of the staff member, who may be asleep on the third shift, with each resident's bedroom; and

- (B) When the administrator or supervisor-in-charge is on duty within the home on the first and second shifts and on call within the home on the third shift, another staff member (i.e., co-administrator, supervisor-in-charge or aide) must be in the building or within 500 feet of the home and immediately available.

- (3) A cluster of homes with capacity or census of 12 or fewer residents must comply with the following staffing:

- (A) When there is a cluster of up to six licensed homes located adjacently, there must be at least one administrator or supervisor-in-charge who lives within 500 feet of each of the homes, is immediately available, and who, as supervisor for all the homes, is directly responsible for assuring that all required duties are carried out in each home; and

- (B) In each of the homes, at least one staff member must be on duty on the first and second shifts and at least one staff member must be on call within the building during the third shift. There must be a call system connecting the bedroom of the staff member, who may be asleep on the third shift, with each resident's bedroom.

- (4) The following shall apply to all homes with capacity or census of 12 or fewer residents:

- (A) The administrator must prepare a plan of operation for the home (each home in a cluster) specifying the staff involved, their regularly assigned duties and the amount of time estimated to be spent for each duty. There must be a current plan of operation on file in the home, available for review by bona fide inspectors and the monitoring and licensing agencies;

- (B) At least 12 hours must be spent daily providing for the personal services, health services, drug management, meaningful activities, and other direct services needed by the residents. These activities are the primary responsibility of the staff member(s) on duty on the first and second

shifts; however, other help, such as the supervisor-in-charge and activities coordinator may be used to assist in providing these services;

- (C) During the remaining hours, the staff member on duty may perform housekeeping and food service duties as long as the staff member can respond immediately to resident calls or the residents are otherwise supervised. Also, the person on call within the home may perform housekeeping duties between the hours of 9 p.m. and 7 a.m. if the duties do not hinder care of residents or immediate response to resident calls, do not disrupt residents' normal lifestyles and sleeping patterns; and do not take the person on call out of view of where the residents are;

- (D) Additional help must be available daily to assure adequate housekeeping and food service.

(d) Homes with capacity or census of 13-20 must comply with the following staffing. When the home is staffing to census and the census falls below 13 residents, the staffing requirements for a home with 12 or fewer residents will apply.

- (1) At all times there must be an administrator or supervisor-in-charge in the home or within 500 feet of the home and immediately available;
- (2) When the administrator or supervisor-in-charge is not on duty within the home, there must be at least one staff member on duty on the first, second and third shifts;
- (3) When the administrator or supervisor-in-charge is on duty within the home, another staff member (i.e. co-administrator, supervisor-in-charge or aide) must be in the building or within 500 feet of the home and immediately available;
- (4) The job responsibility of the staff member on duty within the home is to provide the direct personal assistance and supervision needed by the residents. Any housekeeping duties performed by the staff member between the hours of 7 a.m. and 9 p.m. are to be limited to occasional, non-routine tasks. The staff member may perform housekeeping duties between the hours of 9 p.m. and 7 a.m. as long as such duties do not hinder care of residents or immediate response to resident calls, do not disrupt residents' normal lifestyles and sleeping patterns and do not take the staff member out of view of where the residents are. The staff member on duty to attend to the residents is not to be assigned food service duties; and
- (5) In addition to the staff member(s) on duty to attend to the residents, there must be sufficient help available daily to perform necessary housekeeping and food service duties.

(e) Homes with capacity or census of 21 or more must comply with the following staffing. When the home is staffing to census and the census falls below 21 residents, the staffing requirements for a home with a census of 13-20 will apply.

- (1) At all times there must be an administrator or supervisor-in-charge in the home or within 500 feet of the home and immediately available;

- (1) While the Division of Facility Services may require a home to have additional aide duty in excess of the minimum (based on the condition of the residents and the layout of the building), the daily total of aide duty hours on each 8-hour shift must at all times (other than during short, unforeseeable circumstances) be at least:

- (A) First shift (morning) - 0.4 hours of aide duty for each resident (licensed capacity or resident census), or 8.0 hours per each 20 residents plus 3.0 hours for all other residents, whichever is greater; and
- (B) Second shift (afternoon) - 0.4 hours of aide duty for each resident (licensed capacity or resident census), or 8.0 hours per each 20 residents plus 3.0 for all other residents, whichever is greater; and
- (C) Third shift (evening) - 8.0 hours of aide duty per 50 30 or fewer residents (licensed capacity or resident census); and
- (D) The facility shall have additional aide duty to meet the needs of the facility's heavy care residents equal to the amount of time reimbursed by Medicaid. As used in this Rule, the term, "heavy care resident", means an individual residing in an adult care home who is defined as "heavy care" by Medicaid and for which the facility is receiving enhanced Medicaid payments.

- (2) The following describes the nature of the aide's duties, including allowances and limitations:

- (A) The job responsibility of the aide is to provide the direct personal assistance and supervision needed by the residents;
- (B) Any housekeeping performed by an aide between the hours of 7 a.m. and 9 p.m. is to be limited to occasional, non-routine tasks, such as wiping up a water spill to prevent an accident, attending to an individual resident's soiling of his bed, or helping a resident make his bed. Routine bed-making is a permissible aide duty;
- (C) If the home employs more than the minimum number of aides required, any additional hours of aide duty above the required hours of direct service between 7 a.m. and 9 p.m. may involve the performance of housekeeping tasks;
- (D) An aide may perform housekeeping duties between the hours of 9 p.m. and 7 a.m. as long as such duties do not hinder the aide's care of residents or immediate response to resident calls, do not disrupt the residents' normal lifestyles and sleeping patterns, and do not take the aide out of view of where the residents are. The aide must be prepared to care for the residents since that remains his primary duty; and
- (E) Aides are not to be assigned food service duties; however, providing assistance to individual residents who need help with eating is an

appropriate aide duty.

- (3) In addition to the staffing required for management and aide duties, there must be sufficient personnel employed to perform necessary housekeeping and food service duties.

History Note: Authority G.S. 131D-2; 131D-4.3; 143B-153; Eff. January 1, 1977; Readopted Eff. October 31, 1977; Amended Eff. December 1, 1991; September 1, 1990; July 1, 1990; April 1, 1984; Temporary Amendment Eff. December 1, 1999.

.1410 STAFF COMPETENCY AND TRAINING

(a) The facility shall assure that staff who perform or directly supervise staff who perform personal care tasks listed in Paragraph (h) of this Rule successfully complete a ~~40-~~ 45-hour training program, including competency evaluation, approved by the Department according to Rule .1411 of this Section. Directly supervise means being on duty in the facility to oversee or direct the performance of staff duties.

(b) The facility shall assure that staff who perform or directly supervise staff who perform personal care tasks listed in Paragraph (i) of this Rule successfully complete a 75- 80-hour training program, including competency evaluation, approved by the Department according to Rule .1411 of this Section and comparable to the State-approved Nurse Aide I training.

(c) The facility shall assure that training specified in Paragraphs (a) and (b) of this Rule is successfully completed within ~~one of the following time frames six months after hiring for staff hired after July 1, 2000. Staff hired prior to July 1, 2000, shall have completed at least a 40 or 75-hour training program, which shall meet all the requirements of this Rule except for the interpersonal skills and behavioral interventions listed in Paragraph (j) of this Rule.~~

- (1) ~~six months after implementation of a statewide training program for staff hired before such implementation; or~~
- (2) ~~six months after hiring for staff hired after implementation of a statewide training program established by the Department of Community Colleges.~~

(d) The Department shall have the authority to extend the six-month time frame specified in Paragraph (c) of this Rule up to six additional months for a maximum allowance of 12 months for completion of training upon submittal of documentation to the Department by the facility showing good cause for not meeting the six-month time frame.

(e) Exemptions from the training requirements of this Rule are as follows:

- (1) The Department shall exempt staff from the ~~40-~~ 45-hour training requirement upon successful completion of a competency evaluation approved by the Department according to Rule .1411 of this Section if staff have been employed to perform or directly supervise personal care tasks listed in Paragraph (h) and the interpersonal skills and behavioral interventions listed in Paragraph (j) of this Rule in a comparable long-term care setting for

a total of at least 12 months during the three years prior to January 1, 1996, or the date they are hired, whichever is later.

- (2) The Department shall exempt staff from the 75- 80-hour training requirement upon successful completion of a 15-hour refresher training and competency evaluation program or a competency evaluation program approved by the Department according to Rule .1411 of this Section if staff have been employed to perform or directly supervise personal care tasks listed in Paragraph (i) and the interpersonal skills and behavioral interventions listed in Paragraph (j) of this Rule in a comparable long-term care setting for a total of at least 12 months during the three years prior to January 1, 1996, or the date they are hired, whichever is later.
- (3) The Department shall exempt staff from the ~~40 45~~ and 75- 80-hour training and competency evaluation who are licensed health professionals or listed on the N.C. Nurse Aide Registry.

(f) The facility shall maintain documentation of the training and competency evaluations of staff required by the rules of this Subchapter. The documentation shall be filed in an orderly manner and made available for review by representatives of the Department.

(g) The facility shall assure that staff who perform or directly supervise staff who perform personal care tasks listed in Paragraphs (h) and (i) and the interpersonal skills and behavioral interventions listed in Paragraph (j) of this Rule receive on-the-job training and supervision as necessary for the performance of individual job assignments prior to meeting the training and competency requirements of this Rule.

(h) For the purposes of this Rule, personal care tasks which require a ~~40-~~ 45-hour training program include, but are not limited to the following:

- (1) assist residents with toileting and maintaining bowel and bladder continence;
- (2) assist residents with mobility and transferring;
- (3) provide care for normal, unbroken skin;
- (4) assist with personal hygiene to include mouth care, hair and scalp grooming, care of fingernails, and bathing in shower, tub, bed basin;
- (5) trim hair;
- (6) shave resident;
- (7) provide basic first aid;
- (8) assist residents with dressing;
- (9) assist with feeding residents with special conditions but no swallowing difficulties;
- (10) assist and encourage physical activity;
- (11) take and record temperature, pulse, respiration, routine height and weight;
- (12) trim toenails for residents without diabetes or peripheral vascular disease;
- (13) perineal care;
- (14) apply condom catheters;
- (15) turn and position;
- (16) collect urine or fecal specimens;

- (17) take and record blood pressure if a registered nurse has determined and documented staff to be competent to perform this task;
- (18) apply and remove or assist with applying and removing prosthetic devices for stable residents if a registered nurse, licensed physical therapist or licensed occupational therapist has determined and documented staff to be competent to perform the task; and
- (19) apply or assist with applying ace bandages, TED's and binders for stable residents if a registered nurse has determined and documented staff to be competent to perform the task.

(i) For the purposes of this Rule, personal care tasks which require a ~~75=~~ 80-hour training program are as follows:

- (1) assist with feeding residents with swallowing difficulty;
- (2) assist with gait training using assistive devices;
- (3) assist with or perform range of motion exercises;
- (4) empty and record drainage of catheter bag;
- (5) administer enemas;
- (6) bowel and bladder retraining to regain continence;
- (7) test urine or fecal specimens;
- (8) use of physical or mechanical devices attached to or adjacent to the resident which restrict movement or access to one's own body used to restrict movement or enable or enhance functional abilities;
- (9) non-sterile dressing procedures;
- (10) force and restrict fluids;
- (11) apply prescribed heat therapy;
- (12) care for non-infected pressure ulcers; and
- (13) vaginal douches.

(j) For purposes of this Rule, the interpersonal skills and behavioral interventions include, but are not limited to the following:

- (1) recognition of residents' usual patterns of responding to other people;
- (2) individualization of appropriate interpersonal interactions with residents;
- (3) interpersonal distress and behavior problems;
- (4) intrapersonal and interpersonal distress and behavior problems;
- (5) knowledge of procedures for obtaining consultation and assistance regarding safe, humane management of residents' behavioral problems.

History Note: Authority G.S. 131D-2; 131D-4.3; 131D-4.5; 143B-153; S.L. 99-0334;

Temporary Adoption Eff. January 1, 1996;

Eff. May 1, 1997;

Temporary Amendment Eff. December 1, 1999.

.1411 TRAINING PROGRAM AND COMPETENCY EVALUATION CONTENT AND APPROVAL

(a) The ~~40=~~ 45-hour training specified in Rule .1410 of this Section shall consist of at least ~~20~~ 24 hours of classroom instruction, and the remaining hours shall be supervised practical experience. Competency evaluation shall be conducted in each of the following areas:

- (1) personal care skills;
- (2) cognitive, behavioral and social care for all residents and including interventions to reduce behavioral problems for residents with mental disabilities; and
- (3) residents' rights as established by G.S. 131D-21.

(b) The ~~75=~~ 80-hour training specified in Rule .1410 of this Section shall consist of at least ~~30~~ 34 hours of classroom instruction and at least ~~30~~ 34 hours of supervised practical experience. Competency evaluation shall be conducted in each of the following areas:

- (1) observation and documentation;
- (2) basic nursing skills, including special health-related tasks;
- (3) personal care skills;
- (4) cognitive, behavioral and social care for all residents and, including interventions to reduce behavioral problems for residents with mental disabilities;
- (5) basic restorative services; and
- (6) residents' rights as established by G.S. 131D-21.

(c) The following requirements shall apply to the ~~40~~ 45 and ~~75=~~ 80-hour training specified in Rule .1410 of this Section:

- (1) The training shall be conducted by an individual or a team of instructors with a coordinator. The supervisor of practical experience and instructor of content having to do with personal care tasks or basic nursing skills shall be a registered nurse with a current, unencumbered license in North Carolina and with two years of clinical or direct patient care experience working in a health care, home care or long term care setting. The program coordinator and any instructor of content that does not include instruction on personal care tasks or basic nursing skills shall be a registered nurse, licensed practical nurse, physician, gerontologist, social worker, psychologist, mental health professional or other health professional with two years of work experience in adult education or in a long term care setting; or a four-year college graduate with four years of experience working in the field of aging or long term care for adults.
- (2) A trainee participating in the classroom instruction and supervised practical experience in the setting of the trainee's employment shall not be considered on duty and counted in the staff-to-resident ratio.
- (3) Training shall not be offered without a qualified instructor on site.
- (4) Classroom instruction shall include the opportunity for demonstration and practice of skills.
- (5) Supervised practical experience shall be conducted in a licensed adult care home or in a facility or laboratory setting comparable to the work setting in which the trainee will be performing or supervising the personal care skills.
- (6) All skills shall be performed on humans except for intimate care skills, such as perineal and catheter care, which may be conducted on a mannequin.
- (7) There shall be no more than 10 trainees for each instructor for the supervised practical experience.
- (8) A written examination prepared by the instructor shall

be used to evaluate the trainee's knowledge of the content portion of the classroom training. The trainee shall score at least 70 on the written examination. Oral testing shall be provided in the place of a written examination for trainees lacking reading or writing ability.

- (9) The trainee shall satisfactorily perform all of the personal care skills specified in Rule .1410(h) and the skills specified in Rule .1410(j) of this Section for the ~~40~~ 45-hour training and in Rule ~~.1410(h)~~ and Paragraphs (h) and (i) of Rule .1410 of this Section for the ~~75~~ 80-hour training. The instructor shall use a skills performance checklist for this competency evaluation that includes, at least, all those skills specified in Rules ~~.1410~~ Paragraphs (h) and (i) of Rule .1410 of this Section for the ~~40~~ 45-hour training and all those skills specified in Rule ~~.1410(h)~~ and Paragraphs (h), (i) and (j) of Rule .1410 of this Section for the ~~75~~ 80-hour training. Satisfactory performance of the personal care skills and interpersonal and behavioral intervention skills means that the trainee performed the skill unassisted; explained the procedure to the resident; explained to the instructor, prior to or after the procedure, what was being done and why it was being done in that way; and incorporated the principles of good body mechanics, medical asepsis and resident safety and privacy.
- (10) The training provider shall issue to all trainees who successfully complete the training a certificate, signed by the registered nurse who conducted the skills competency evaluation, stating that the trainee successfully completed the ~~40~~ 45 or ~~75~~ 80-hour training. The trainee's name shall be on the certificate. The training provider shall maintain copies of the certificates and the skills evaluation checklists for a minimum of five years.

(d) An individual, agency or organization seeking to provide the ~~40~~ 45 or ~~75~~ 80-hour training specified in Rule .1410 of this Section shall submit the following information to the Group Care Licensure Section of the Division of Facility Services:

- (1) an application which is available at no charge by contacting the Division of Facility Services, Group Care Licensure Section, 2708 Mail Service Center Post Office Box 29530, Raleigh, North Carolina 27626-0530; 27626-2708;
- (2) a statement of training program philosophy;
- (3) a statement of training program objectives for each content area;
- (4) a curriculum outline with specific hours for each content area;
- (5) teaching methodologies, a list of texts or other instructional materials and a copy of the written exam or testing instrument with an established passing grade;
- (6) a list of equipment and supplies to be used in the training;
- (7) procedures or steps to be completed in the performance

of the personal care and basic nursing skills;

- (8) sites for classroom and supervised practical experience, including the specific settings or rooms within each site;
- (9) resumes of all instructors and the program coordinator, including current RN certificate numbers as applicable;
- (10) policy statements that address the role of the registered nurse, instructor to trainee ratio for the supervised practical experience, retention of trainee records and attendance requirements;
- (11) a skills performance checklist as specified in Subparagraph (c)(9) of this Rule; and
- (12) a certificate of successful completion of the training program.

(e) The following requirements shall apply to the competency evaluation for purposes of exempting adult care home staff from the ~~40~~ 45 or ~~75~~ 80-hour training as required in Rule .1410 of this Section:

- (1) The competency evaluation for purposes of exempting adult care home staff from the ~~40~~ 45 or ~~75~~ 80-hour training shall consist of the satisfactory performance of personal care skills according to the requirement in Subparagraph (c)(9) of this Rule.
- (2) Any person who conducts the competency evaluation for exemption from the ~~40~~ 45 or ~~75~~ 80-hour training shall be a registered nurse with the same qualifications specified in Subparagraph (c)(1) of this Rule.
- (3) The competency evaluation shall be conducted in a licensed adult care home or in a facility or laboratory setting comparable to the work setting in which the participant will be performing or supervising the personal care skills.
- (4) All skills being evaluated shall be performed on humans except for intimate care skills such as perineal and catheter care, which may be performed on a mannequin.
- (5) The person being competency evaluated in the setting of the person's employment shall not be considered on duty and counted in the staff-to-resident ratio.
- (6) An individual, agency or organization seeking to provide the competency evaluation for training exemption purposes shall complete an application available at no charge from the Division of Facility Services, Group Care Licensure Section, Post Office Box 29530, Raleigh, North Carolina 27626-0530 and submit it to the Group Care Licensure Section along with the following information:
 - (A) resume of the person performing the competency evaluation, including the current RN certificate number;
 - (B) a certificate, with the signature of the evaluating registered nurse and the participant's name, to be issued to the person successfully completing the competency evaluation;
 - (C) procedures or steps to be completed in the performance of the personal care and basic nursing skills;
 - (D) skills performance checklist as specified in

- Subparagraph (c)(9) of this Rule;
- (E) a site for the competency evaluation; and
- (F) a list of equipment, materials and supplies.

History Note: Authority G.S. 131D-2; 131D-4.3; 131D-4.5; 143B-153; S.L. 99-0334;

Temporary Adoption Eff. January 1, 1996;

Eff. May 1, 1997;

Temporary Amendment Eff. December 1, 1999.

.1412 CERTIFICATION OF ADMINISTRATOR

The administrator of an adult care home licensed on or after January 1, 2000, shall be certified by the Department under the provisions of G.S. 90, Article 20A. The administrator's certification shall be renewed every two years by the Department under these same provisions, including documentation that the administrator has completed at least 30 hours of continuing education credits related to the management of adult care homes and care of aged and disabled persons in accordance with procedures established by the Department.

History Note: Authority G.S. 131D-2; 90-288; 143B-165; S.L. 99-0334; S.L. 99-0443;

Temporary Adoption Eff. December 1, 1999.

.1413 RESPONSIBILITIES AND QUALIFICATIONS OF PERSONAL CARE AIDE SUPERVISOR

(a) Effective January 1, 2000, there shall be at least one personal care aide supervisor, hereafter referred to as supervisor, on duty on each shift whose primary job responsibility is the direct supervision of personal care aides and medication aides in facilities with a census or capacity of 21 or more residents. While the supervisor may be involved in performing some personal care or management tasks, the primary responsibility of the supervisor is to assure that care and services are provided to residents by personal care aides and in a safe and secure manner and according to licensure rules. This involves observing personal care aides in the performance of their duties; instructing, correcting and consulting with aides as needed; and reviewing documentation by aides. The Division of Facility Services may require a home to have additional supervisors based on the number of aides to be supervised and the condition of the residents.

(b) A supervisor on duty shall not serve simultaneously as the administrator, personal care aide or any other staff except the administrator-in-charge in the absence of the administrator.

(c) A supervisor shall meet the following qualifications:

- (1) be 21 years or older;
- (2) be a high school graduate or certified under the G.E.D. program, or have passed an alternative examination established by the Department;
- (3) meet the general health requirements according to Rule .1406 of this Section;
- (4) have at least 12 months of experience in performing or supervising the performance of duties to be supervised during a period of three years prior to the effective date of this rule or the date of hire, whichever is later;
- (5) meet the same minimum training and competency

requirements of the aides being supervised; and earn at least 12 hours a year of continuing education credits related to the care of aged and disabled persons in accordance with procedures established by the Department of Health and Human Services.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.1414 QUALIFICATIONS OF MEDICATION AIDES AND THEIR SUPERVISORS

(a) Effective January 1, 2000, staff who administer medications, hereafter referred to as medication aides, and staff who directly supervise the administration of medications shall have documentation of successfully completing the clinical skills validation portion of the competency evaluation according to Paragraph (d) and (e) of Rule .1415 of this Section prior to the administration or supervision of the administration of medications. Medication aides shall also meet the staff training and competency requirements according to Rule .1410 of this Section. Persons authorized by state occupational licensure laws to administer medications are exempt from this requirement.

(b) Effective July 1, 2000, medication aides and their direct supervisors, except persons authorized by state occupational licensure laws to administer medications, shall have successfully passed the written examination and clinical skills validation portion of a competency evaluation according to Rule .1415 of this Section prior to administration or supervision of the administration of medications. Medication aides shall also meet the staff training and competency requirements according to Rule .1410 of this Section.

(c) Medication aides and their direct supervisors, except persons authorized by state occupational licensure laws to administer medications, shall complete eight hours of state approved continuing education annually in medication administration.

(d) Effective July 1, 2000, persons taking the competency evaluation for medication administration shall be a high school graduate or certified under the G.E.D. program or shall have passed an alternative examination established by the Department.

(e) Training and competency validation of any unlicensed person who is to administer insulin shall be according to Rule .1829 of this Subchapter. Effective January 1, 2000, the training shall also be required for any unlicensed person who is to administer insulin.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.1415 MEDICATION ADMINISTRATION COMPETENCY

Rule 10 NCAC 42C .2014 shall control for this Subchapter.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

SECTION .1500 - THE BUILDING

.1503 PHYSICAL ENVIRONMENT

The home must provide ample living arrangements to meet the individual needs of the residents, the live-in staff and other live-in persons.

- (1) The requirements for each living room and recreational area are:
 - (a) Each living room and recreational area must be located off a lobby or corridor and enclosed with walls and doors;
 - (b) In buildings with a licensed capacity of 15 or less, there must be a minimum area of 250 square feet;
 - (c) In buildings with a licensed capacity of 16 or more, there must be a minimum of 16 square feet per resident; and
 - (d) Each living room and recreational area must have windows.
- (2) The requirements for the dining room are:
 - (a) The dining room must be located off a lobby or corridor and enclosed with walls and doors;
 - (b) In buildings with a licensed capacity of 15 or less, there must be a minimum of 200 square feet;
 - (c) In building with a licensed capacity of 16 or more, there must be a minimum of 14 square feet per resident; and
 - (d) The dining room must have windows.
- (3) The requirements for the kitchen are:
 - (a) The size of the kitchen and the kitchen equipment must meet the sanitation requirements of the North Carolina Department of Environment, Health, and Natural Resources; Division of Environmental Health. Scaled drawings and specifications must be submitted to the Division of Facility Services; and
 - (b) In areas where approved water and sewer services are not available, the owner must secure from the local sanitarian instructions on the installation of an approved water and sewer system and comply with these instructions.
- (4) The requirements for the bedroom are:
 - (a) The number of resident beds set up must not exceed the licensed capacity of the facility;
 - (b) There must be bedrooms sufficient in number and size to meet the individual needs according to age and sex of the residents, the administrator or supervisor-in-charge, other live-in staff and any other persons living in the home. Residents are not to share bedrooms with staff or other live-in non-residents;
 - (c) Only rooms authorized as bedrooms shall be used for residents' bedrooms;
 - (d) Bedrooms must be located on an outside wall and off a corridor. A room where access is through a bathroom, kitchen, or another bedroom will not

be approved for a resident's bedroom;

- (e) There must be a minimum area of 100 square feet excluding vestibule, closet or wardrobe space, in rooms occupied by one person and a minimum area of 80 square feet per bed, excluding vestibule, closet or wardrobe space, in rooms occupied by two or more people;
 - (f) The total number of residents assigned to a bedroom must not exceed the number authorized for that particular bedroom;
 - (g) A bedroom may not be occupied by more than four residents. This does not apply to homes licensed before April 1, 1984, with five residents occupying one bedroom, which meet all other rules of this Subchapter;
 - (h) Resident bedrooms must be designed to accommodate all required furnishings;
 - (i) Each resident bedroom must be ventilated with one or more windows which are maintained operable and well lighted. The window area must be equivalent to at least eight percent of the floor space. The windows must be low enough to see outdoors from the bed and chair, with a maximum 36 inch sill height; and
 - (j) Bedroom closets or wardrobes must be large enough to provide each resident with a minimum of 48 cubic feet of hanging clothing storage space (approximately two feet deep by three feet wide of hanging space by eight feet high).
- (5) The requirements for bathrooms and toilet rooms are:
 - (a) Minimum bathroom and toilet facilities must include a toilet and a hand lavatory for each 5 residents and a tub or shower for each 10 residents or portion thereof;
 - (b) Entrance to the bathroom must not be through a kitchen, another person's bedroom, or another bathroom;
 - (c) Toilets and baths for staff and visitors must be in accordance with Volume II, Plumbing, North Carolina Building Code;
 - (d) Bathrooms and toilets accessible to the physically handicapped must be provided as required by Section 11X, Volume I, North Carolina Building Code;
 - (e) The bathrooms and toilet rooms must be designed to provide privacy. Bathrooms and toilet rooms with two or more water closets (commodes) shall have privacy partitions or curtains for each water closet. Each tub or shower shall have privacy partitions or curtains;
 - (f) Hand grips must be installed at all commodes, tubs and showers used by or accessible to residents;
 - (g) Each home must have at least one bathroom opening off the corridor with: a door three feet minimum width, a three feet by three feet roll-in

- shower designed to allow the staff to assist a resident in taking a shower without the staff getting wet, a bathtub accessible on at least two sides, a lavatory and a toilet. If the tub and shower are in separate rooms, each room must have a lavatory and a toilet. All fixtures must meet the State Building Code requirements for the physically handicapped in effect at the time the building was constructed;
- (h) Bathrooms and toilet rooms must be located as conveniently as possible to the residents' bedrooms;
 - (i) Resident toilet rooms and bathrooms must not be utilized for storage or purposes other than those indicated in Paragraph (5) of this Rule;
 - (j) Toilets and baths must be well lighted and mechanically ventilated at two cubic feet per minute. The mechanical ventilation requirement does not apply to facilities licensed before April 1, 1984, with adequate natural ventilation;
 - (k) Nonskid surfacing or strips must be installed in showers and bath areas; and
 - (l) The floors of the bathrooms and toilet rooms must have a non-slippery, water-resistant covering.
- (6) The requirements for storage rooms and closets are:
- (a) General Storage for the Home. A minimum area of five square feet (40 cubic feet) per licensed capacity must be provided. This storage space is to be either in the facility or within 500 feet of the facility on the same site;
 - (b) Linen Storage. Storage areas must be adequate in size and number for separate storage of clean linens and separate storage of soiled linens. Access to soiled linen storage must be from a corridor or laundry room;
 - (c) Food Storage. Space must be provided for dry, refrigerated and frozen food items to comply with sanitation regulations;
 - (d) Housekeeping storage requirements are:
 - (i) A housekeeping closet, with mop sink or mop floor receptor, must be provided at the rate of one per 60 residents or portion thereof; and
 - (ii) There must be separate locked areas for storing cleaning agents, bleaches, pesticides, and other substances which may be hazardous if ingested, inhaled or handled. Cleaning supplies must be supervised while in use;
 - (e) Drug storage requirements are:
 - (f) Handwashing facilities with wrist type lever handles must be provided immediately adjacent to the drug storage area;
 - (g) All drugs (prescription and non-prescription drugs, including topical preparations) must be stored in a well lighted and well ventilated locked cabinet or closet except when under the direct supervision of employees approved to administer drugs;
 - (h) The locked cabinet or closet must be large enough to store all drugs in an orderly manner. Dividers shall be installed or containers provided in the cabinet or closet and drug cart, when used, to separate each resident's drugs with proper labeling for each resident;
 - (i) If the home utilizes drug carts, they must be stored in a locked immobile manner or in a locked area;
 - (j) Drugs for external use must be stored in a designated area separate from internal drugs;
 - (k) Drugs must not be stored in bathrooms, a utility room, or in the kitchen area;
 - (l) Drugs requiring refrigeration must be stored in a separate locked box in the refrigerator or in a lockable drug-only refrigerator, capable of maintaining a temperature range of 36 degrees F (2 degrees C) to 46 degrees F (8 degrees C);
 - (m) First aid supplies must be immediately available and stored separately in a secure and orderly manner, out of the sight of residents and the general public;
 - (n) Drugs may be stored in the resident's room for his self-administration upon the written approval and instructions of the prescriber. The home must take reasonable precautions to assure that they are stored and maintained in a safe and secure manner to protect against contamination, spillage, misidentity and pilferage. In establishing a means for safe storage with the resident and the prescriber, the home shall take into account the status of the residents and others living in the home, the degree to which the resident needs immediate access to the drug, and the potential harm of the drug should it be misused;
 - (o) Storage for Resident's Articles. Some means for residents to lock personal articles within the home must be provided; and
 - (p) Staff Facilities. Some means for staff to lock personal articles within the home must be provided.
- (7) The requirements for corridors are:
- (a) Doors to spaces other than small reach-in closets must not swing into the corridor;
 - (b) Handrails must be provided on both sides of corridors at 36 inches above the floor and be capable of supporting a 250 pound concentrated

- load;
- (c) Corridors must be lighted sufficiently with night lights providing 1 foot-candle power at the floor; and
- (d) Corridors must be free of all equipment and other obstructions.
- (8) The requirements for outside entrances and exits are:
 - (a) Public and service entrances must not be through required resident areas;
 - (b) All steps, porches, stoops and ramps must be provided with handrails and guardrails; and
 - (c) All exit door locks must be easily operable, by a single hand motion, from the inside at all times without keys.
 - (d) In homes with at least one resident who is determined by a physician or is otherwise known to be disoriented or a wanderer, each required exit door shall be equipped with a sounding device that is activated when the door is opened. The sound must be of sufficient volume that it can be heard by staff. A central control panel that will deactivate the sounding device may be used provided the control panel is located in the office of the administrator.
- (9) The requirements for floors are:
 - (a) All floors must be of smooth, non-skid material and so constructed as to be easily cleanable;
 - (b) Scatter or throw rugs are not to be used; and
 - (c) All floors must be kept in good repair.
- (10) Soil Utility Room. A separate room must be provided and equipped for the cleaning and sanitizing of bed pans and must have handwashing facilities.
- (11) Office. There must be an area within the home large enough to accommodate normal administrative functions.
- (12) The requirements for laundry facilities are:
 - (a) Laundry facilities must be large enough to accommodate washers, dryers, and ironing equipment or work tables;
 - (b) These facilities must be located where soiled linens will not be carried through the kitchen, dining, clean linen storage, living rooms or recreational areas; and
 - (c) A minimum of one residential type washer and dryer each must be provided, even if all laundry services are contracted.
- (13) The requirements for outside premises are:
 - (a) The outside grounds must be maintained in a clean and safe condition;
 - (b) If the home has a fence around the premises, the fence must not prevent residents from exiting or entering freely or be hazardous; and
 - (c) Outdoor walkways and drives must be illuminated by no less than five foot-candles of light at ground level.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334;

Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

Amended Eff. July 1, 1990; April 1, 1987; July 1, 1984; April 1, 1984;

Temporary Amendment Eff. December 1, 1999.

SECTION .1600 - FIRE SAFETY AND OTHER REQUIREMENTS

.1605 OTHER REQUIREMENTS

(a) The building and all fire safety, electrical, mechanical, and plumbing equipment must be maintained in a safe and operating condition.

(b) There must be an approved heating system sufficient to maintain 75 degrees F (24 degrees C) under winter design conditions.

(1) Built-in electric heaters, if used, must be installed or protected so as to avoid burn hazards to residents and room furnishings.

(2) Unvented fuel burning room heaters and portable electric heaters are prohibited.

(3) Fireplaces, fireplace inserts and wood stoves must be designed or installed so as to avoid a burn hazard to residents. Fireplace inserts and wood stoves must be U.L. listed.

(c) Air conditioning or at least one fan per resident bedroom and living and dining areas must be provided when the temperature in the main center corridor exceeds 88 80 degrees F (31 26.7 degrees C).

(d) The hot water system must be of such size to provide an adequate supply of hot water to the kitchen, bathrooms, laundry, housekeeping closets and soil utility room. The hot water temperature at all fixtures used by residents must be maintained at a minimum of 100 degrees F (38 degrees C) and must not exceed 116 degrees F (46.7 degrees C).

(e) All multi-story facilities must be equipped with elevators.

(f) In addition to the required emergency lighting, minimum lighting must be as follows:

(1) 30 foot-candle power for reading;

(2) 10 foot-candle power for general lighting; and

(3) 1 foot-candle power at the floor for corridors at night.

(g) The spaces listed in this Paragraph must be provided with exhaust ventilation at the rate of two cubic feet per minute per square foot. This requirement does not apply to facilities licensed before April 1, 1984, with adequate natural ventilation in these specified spaces:

(1) soiled linen storage;

(2) soil utility room;

(3) bathrooms and toilet rooms;

(4) housekeeping closets; and

(5) laundry area.

(h) Where required for staffing purposes, an electrically operated call system must be provided connecting each resident bedroom to the live-in staff bedroom. The resident call switches

must be such that they can be activated with a single action and remain on until switched off by staff. The call switch must be within reach of the resident lying on his bed.

History Note: Authority G.S. 131D-2; 143B-153; S.L. 99-0334; Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. July 1, 1990; April 1, 1987; April 1, 1984;
Temporary Amendment Eff. December 1, 1999.

SECTION .1800 - REMAINING POLICIES AND REGULATIONS

.1804 MANAGEMENT OF DRUGS

The rules stated in 10 NCAC 42C .2703 .3800 shall control for this Subchapter.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334;
Eff. January 1, 1977;
Amended Eff. April 22, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. April 1, 1984;
Temporary Amendment Eff. December 1, 1999.

.1821 RENEWAL OF LICENSE

Rule 10 NCAC 42C .3402 shall control for this Subchapter; Subchapter, provided that DSS-1514 Form (Fire and Building Safety Inspection Report) and the DHS-1213 (Sanitation Report) are used when appropriate.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-153; S.L. 99-0334;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Temporary Amendment Eff. December 1, 1999.

SECTION .1900 - SPECIAL CARE UNITS FOR ALZHEIMER'S AND RELATED DISORDERS

.1901 DEFINITIONS APPLICABLE TO SPECIAL CARE UNITS

The following definitions shall apply throughout this Section:

- (1) "Alzheimer's Disease" means a progressive, degenerative disease that attacks the brain and results in impaired memory, thinking and behavior. Characteristic symptoms of the disease include gradual memory loss, impaired judgement, disorientation, personality change, difficulty in learning, and loss of language skills.
- (2) "Related disorders" means dementing or memory impairing conditions characterized by irreversible memory dysfunction.
- (3) "Special care unit" means an entire facility or any section, wing or hallway within an adult care home separated by closed doors from the rest of the home, or a program provided by an adult care home, that is

designated or advertised especially for special care of residents with Alzheimer's Disease or related disorders.

- (4) "Care coordinator" means a staff person in a special care unit who oversees resident care and coordinates, supervises and evaluates resident services to assure that each resident receives services appropriate to the individual's needs.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;
Temporary Adoption Eff. December 1, 1999.

.1902 SPECIAL CARE UNIT DISCLOSURE

(a) Only those facilities with units that meet the requirements of this Section may advertise, market or otherwise promote themselves as providing special care units for persons with Alzheimer's Disease or related disorders.

(b) The facility shall disclose information about the special care unit according to G.S. 131D-7 and which addresses policies and procedures listed in Rule .1905 of this Section.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;
Temporary Adoption Eff. December 1, 1999.

.1903 LICENSURE OF FACILITIES WITH SPECIAL CARE UNITS

A facility that advertises, markets or otherwise promotes itself as having a special care unit for residents with Alzheimer's Disease or related disorders and meets the requirements of this Section for special care units and the rules set forth in this Subchapter shall be licensed as an adult care home with a special care unit. The license shall indicate that a special care unit for residents with Alzheimer's Disease or related disorders is provided.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;
Temporary Adoption Eff. December 1, 1999.

.1904 SPECIAL CARE UNIT BUILDING REQUIREMENTS

In addition to meeting all applicable building codes and licensure regulations for adult care homes, the special care unit shall meet the following building requirements:

- (1) Plans for new or renovated construction or conversion of existing building areas shall be submitted to the Construction Section of the Division of Facility Services for review and approval.
- (2) If the special care unit is a portion of a facility, it shall be separated from the rest of the building by closed doors.
- (3) Unit exit doors may be locked only if the locking devices meet the requirements outlined in the N.C. State Building Code for special locking devices.
- (4) Where exit doors are not locked, a system of security monitoring shall be provided.

- (5) The unit shall be located so that other residents, staff and visitors do not have to routinely pass through the unit to reach other areas of the building.
- (6) At a minimum the following service and storage areas shall be provided within the special care unit: staff work area, nourishment station for the preparation and provision of snacks, lockable space for medication storage, and storage area for the residents' records.
- (7) Living and dining space shall be provided within the unit at a total rate of 30 square feet per resident and may be used as an activity area.
- (8) Direct access from the facility to a secured outside area shall be provided.
- (9) A toilet and hand lavatory shall be provided within the unit for every five residents.
- (10) A tub and shower for bathing of residents shall be provided within the unit.
- (11) Use of potentially distracting mechanical noises such as loud ice machines, window air conditioners, intercoms and alarm systems shall be minimized or avoided.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;
Temporary Adoption Eff. December 1, 1999.

.1905 SPECIAL CARE UNIT POLICIES AND PROCEDURES

The facility shall assure that special care unit policies and procedures are established, implemented by staff and available for review within the facility. In addition to all applicable policies and procedures for adult care homes, there shall be policies and procedures that address the following:

- (1) the philosophy of the special care unit which includes a statement of mission and objectives regarding the specific population to be served by the unit which shall address, but not be limited to, the following:
 - (a) safe, secure, familiar and consistent environment that promotes mobility and minimal use of physical restraints or psychotropic medications;
 - (b) a structured but flexible lifestyle through a well developed program of care which includes activities appropriate for each resident's abilities;
 - (c) individualized care plans that stress the maintenance of residents' abilities and promote the highest possible level of physical and mental functioning; and
 - (d) methods of behavior management which preserve dignity through design of the physical environment, physical exercise, social activity, appropriate medication administration, proper nutrition and health maintenance;
- (2) the process and criteria for admission to and discharge from the unit;
- (3) a description of the special care services offered in the unit;
- (4) resident assessment and care planning, including

opportunity for family involvement in care planning, and the implementation of the care plan, including responding to changes in the resident's condition;

- (5) safety measures addressing dementia specific dangers such as wandering, ingestion, falls and aggressive behavior;
- (6) staffing in the unit;
- (7) staff training based on the special care needs of the residents;
- (8) physical environment and design features that address the needs of the residents;
- (9) activity plans based on personal preferences and needs of the residents;
- (10) opportunity for involvement of families in resident care and the availability of family support programs; and
- (11) additional costs and fees for the special care provided.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;
Temporary Adoption Eff. December 1, 1999.

.1906 ADMISSION TO THE SPECIAL CARE UNIT

In addition to meeting all requirements specified in the rules of this Subchapter for the admission of residents to the home, the facility shall assure that the following requirements are met for admission to the special care unit:

- (1) A physician shall specify a diagnosis on the resident's FL-2 that meets the conditions of the specific group of residents to be served.
- (2) There shall be a documented pre-admission screening by the facility to evaluate the appropriateness of an individual's placement in the special care unit.
- (3) Family members seeking admission of a resident to a special care unit shall be provided disclosure information required in G.S. 131D-7 and any additional written information addressing policies and procedures listed in Rule .1905 of this Subchapter that is not included in G.S. 131D-7. This disclosure shall be documented in the resident's record.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;
Temporary Adoption Eff. December 1, 1999.

.1907 SPECIAL CARE UNIT RESIDENT PROFILE AND CARE PLAN

In addition to the requirements in Rules 42D .1827 and 42D .1828 of this Subchapter, the facility shall assure the following:

- (1) Within 30 days of admission to the special care unit and quarterly thereafter, the facility shall develop a written resident profile containing assessment data that describes the resident's behavioral patterns, self-help abilities, level of daily living skills, special management needs, physical abilities and disabilities, and degree of cognitive impairment.
- (2) The resident care plan as required in Rule 42D .1828 of

this Subchapter shall be developed or revised based on the resident profile and specify programming that involves environmental, social and health care strategies to help the resident attain or maintain the maximum level of functioning possible and compensate for lost abilities.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;
Temporary Adoption Eff. December 1, 1999.

.1908 SPECIAL CARE UNIT STAFFING

(a) Staff shall be present in the unit at all times in sufficient number to meet the needs of the residents; but at no time shall there be less than one staff person, who meets the orientation and training requirements in Rule .1901 of this Subchapter, to each eight residents on first and second shifts and one staff person to each ten residents on third shift.

(b) There shall be a care coordinator on duty in the unit at least eight hours a day, five days a week. The care coordinator may be counted in the staffing required in Paragraph (a) of this Rule for units of 15 or fewer residents.

(c) In units of 16 or more residents and any units that are freestanding facilities, there shall be a care coordinator as required in Paragraph (b) of this Rule in addition to the staff required in Paragraph (a) of this Rule.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;
Temporary Adoption Eff. December 1, 1999.

.1909 SPECIAL CARE UNIT STAFF ORIENTATION AND TRAINING

The facility shall assure that special care unit staff receive at least the following orientation and training:

- (1) Prior to establishing a special care unit, the administrator shall document receipt of at least 20 hours of training specific to the population to be served for each special care unit to be operated. The administrator shall have in place a plan to train other staff assigned to the unit that identifies content, texts, sources, evaluations and schedules regarding training achievement.
- (2) Within the first week of employment, each employee assigned to perform duties in the special care unit shall complete six hours of orientation on the nature and needs of the residents.
- (3) Within six months of employment, staff responsible for personal care and supervision within the unit shall complete 20 hours of training specific to the population being served in addition to the training and competency requirements in Rule .1410 of this Subchapter and the six hours of orientation required by this Rule.
- (4) Staff responsible for personal care and supervision within the unit shall complete at least 12 hours of continuing education annually, of which six hours shall

be dementia specific.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.1910 OTHER APPLICABLE RULES FOR SPECIAL CARE UNITS

In addition to specific rules pertaining to special care units for residents in this Section, such units shall also meet all other applicable requirements governing the operation of adult care homes as set forth in this Subchapter.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

SECTION .2000 - SPECIAL CARE UNITS FOR MENTAL HEALTH DISORDERS

.2001 DEFINITIONS APPLICABLE TO SPECIAL CARE UNITS

The following definitions shall apply throughout this Section:

- (1) Special care unit means an entire facility or any section, wing or hallway within an adult care home separated by closed doors from the rest of the home that is designated or advertised especially for special care of residents with a mental health disability.
- (2) Care coordinator means a staff person in a special care unit who oversees resident care and coordinates, supervises and evaluates resident services to assure that each resident receives services appropriate to the individual's needs.
- (3) Mental health disability means a lessened capacity to use self-control, judgment, and discretion in the conduct of an individual's affairs and social relations that is related to a diagnosed mental illness and which makes it necessary or advisable for the individual to be under treatment for the mental illness and to receive care, supervision, and guidance.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.2002 SPECIAL CARE UNIT DISCLOSURE

(a) Only those facilities with units that meet the requirements of this Section may advertise or represent themselves to the public as providing special care for persons with a mental health disability.

(b) The facility shall disclose information about the special care unit according to G.S. 131D-7 and which addresses policies and procedures listed in Rule .2005 of this Section.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.2003 LICENSURE OF FACILITIES WITH SPECIAL CARE UNITS

A facility that advertises or represents itself to the public as having a special care unit for residents with a mental health disability and meets the requirements of this Section for special care units and the rules set forth in this Subchapter shall be licensed as an adult care home with a special care unit. The license shall indicate that a special care unit for residents with a mental health disability is provided.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.2004 SPECIAL CARE UNIT BUILDING REQUIREMENTS

In addition to meeting all applicable building codes and licensure regulations for adult care homes, the special care unit shall meet the following building requirements:

- (1) Plans for new or renovated construction or conversion of existing building areas shall be submitted to the Construction Section of the Division of Facility Services for review and approval. No special care unit for residents with a mental health disability shall serve more than 12 residents. A facility shall have no more than one special care unit for residents with a mental health disability.
- (2) If the special care unit is a portion of a facility, it shall be separated from the rest of the building by lockable doors.
- (3) Unit exit doors may be locked only if the locking devices meet the requirements outlined in the N.C. State Building Code for special locking devices.
- (4) Where exit doors are not locked, a system of security monitoring shall be provided.
- (5) The unit shall be located so that other residents, staff and visitors do not have to routinely pass through the unit to reach other areas of the building.
- (6) At a minimum the following service areas shall be provided within the special care unit: staff work area, nourishment station for the preparation and provision of snacks, and lockable space for medication storage.
- (7) Living and dining space shall be provided within the unit at a total rate of 30 square feet per resident and may be used as an activity area.
- (8) Direct access to an outside area shall be provided.
- (9) A toilet and hand lavatory shall be provided within the unit for every five residents.
- (10) A tub and shower for residents' bathing shall be provided within the unit.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.2005 SPECIAL CARE UNIT POLICIES AND

PROCEDURES

The facility shall assure that special care unit policies and procedures are established, implemented by staff and available for review within the facility. In addition to all applicable policies and procedures for adult care homes, there shall be policies and procedures that address the following:

- (1) the philosophy of the special care unit which includes a statement of mission and objectives regarding the specific population to be served by the unit which shall address, but not be limited to, the following:
 - (a) safe, secure, familiar and consistent environment that promotes community integration and minimal use of physical restraints or psychotropic medications;
 - (b) a structured but flexible lifestyle through a well developed program of care;
 - (c) the facility's policy regarding grouping of residents that takes age, interests, and behaviors into account;
 - (d) individualized care plans that stress the maintenance of residents' abilities and promote the highest possible level of physical and mental functioning; and
 - (e) methods of behavior management which preserve dignity through design of the physical environment, physical exercise, social activity, appropriate medication administration, proper nutrition and health maintenance;
- (2) the process and criteria for admission to and discharge from the unit;
- (3) the procedures shall include the following to ensure client rights, choice, and service coordination:
 - (a) procedures shall specify the responsibility of both the facility and the area program to inform residents of client rights and available choices in treatment options and providers;
 - (b) procedures shall specify that an area program shall provide mental health status and diagnostic evaluations and case management; and
 - (c) these procedures shall be signed by the facility, the area program and shall be adhered to by any mental health treatment providers providing treatment to residents of the unit to ensure coordination among all parties. These procedures shall be reviewed and revised, as needed, on an annual basis;
- (4) procedures for safeguarding confidential information and ensuring that that such information is not further disclosed in accordance with G.S. 122C-55(f);
- (5) a description of the special care services offered in the unit;
- (6) resident assessment and care planning, including opportunity for family involvement in care planning, and the implementation of the care plan. The care plan shall include resident involvement, as appropriate, in activities of daily living, participation in psychosocial

programs or supported employment, and shall respond to changes in the resident's condition;

- (7) safety measures addressing specific dangers or problems associated with the residents' condition such as aggressive behavior or other behavior management problems;
- (8) staff to resident ratios to meet the needs of the residents;
- (9) staff training based on the special care needs of the residents;
- (10) physical environment and design features that address the needs of the residents;
- (11) activity plans based on personal preferences and needs of the residents;
- (12) opportunity for involvement of families in resident care and the availability of family support programs; and
- (13) additional costs and fees for the special care provided.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.2006 ADMISSION TO THE SPECIAL CARE UNIT

In addition to meeting all requirements specified in the rules of this Subchapter for the admission of residents to the home, the facility shall assure that the following requirements are met for admission to the special care unit:

- (1) A psychiatrist shall specify a diagnosis on the resident's FL-2 that meets the conditions of the specific group of residents to be served.
- (2) There shall be a documented pre-admission screening by the facility to evaluate the appropriateness of an individual's placement in the special care unit.
- (3) Any person seeking to be admitted to a special care unit shall be provided disclosure information required in G.S. 131D-7 and any additional written information addressing policies and procedures listed in Rule .1905 of this Subchapter that is not included in G.S. 131D-7. This disclosure shall also be provided to family members of the person seeking admission upon request of the person or the family of the person and this disclosure shall be documented in the resident's record.
- (4) There shall be documented evidence that for any individual who is to be admitted to a special care unit for mental health disabilities, the facility has made arrangements with an area mental health program for evaluation and case management. Arrangements for treatment of the individual's mental illness and for any other needed mental health services shall be made in accordance with the signed procedures required by Rule .2005(3)(c) of this Section.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.2007 SPECIAL CARE UNIT RESIDENT PROFILE AND CARE PLAN

In addition to the requirements in Rules 42D .1827 and .1828 of this Subchapter, the facility shall assure the following:

- (1) Within 45 days of admission to the special care unit and quarterly thereafter, the facility shall develop a written resident profile containing assessment data that describes the resident's behavioral patterns, self-help abilities, level of daily living skills, special management needs, physical abilities and disabilities, and degree of cognitive impairment.
- (2) This profile shall be reviewed by the area program and, if applicable, by other providers of mental health treatment selected by the resident as part of the treatment planning process. The facility's resident care plan shall be developed jointly by the facility and all providers involved in the resident's services.
- (3) The resident care plan shall be based on the resident profile and shall specify programming that is individualized to meet the resident's treatment and rehabilitative needs and directed toward the goal of community integration to the greatest extent possible for the resident.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.2008 SPECIAL CARE UNIT STAFFING

(a) Direct care and supervisory staff requirements in 10 NCAC 42D.1407 and .1413 shall apply and staff shall be present in the unit at all times in sufficient numbers to meet the needs of the residents.

(b) There shall be a care coordinator on duty in the unit 8 hours per day, 7 days per week.

(c) Staffing shall be consistent so that rotation of staff on and off the unit is avoided except for emergency situations or to alleviate staff burnout.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

.2009 SPECIAL CARE UNIT STAFF ORIENTATION AND TRAINING

The facility shall assure that special care unit staff receive at least the following orientation and training:

- (1) Prior to establishing a special care unit for residents with a mental health disability, the administrator shall document receipt of at least 20 hours of training specific to the population by a qualified mental health professional, as defined in 10 NCAC 14V .0104(18), for each special care unit to be operated. The administrator shall have in place a plan to train other staff assigned to the unit that identifies content, texts, sources, evaluations and schedules regarding training achievement.
- (2) Within the first week of employment, each employee assigned to perform duties in the special care unit shall

complete six hours of orientation on the nature and needs of the residents.

- (3) Within six months of employment, direct care staff shall complete 20 hours of training specific to the population being served.
- (4) In addition to the training required in 10 NCAC 42D .1410, direct care staff assigned to the unit shall complete at least 8 hours of continuing education annually that is specific to the needs of the residents.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;
Temporary Adoption Eff. December 1, 1999.

.2010 RESIDENTS' RIGHTS

In addition to rights specified in G.S. 131D-21, residents in a special care unit for mental health disabilities shall have all the rights set forth in G.S. 122C Article 3, Part 1, Client's Rights and as specified in Subchapters 14P, 14Q, 14R, and 14S which, for purposes of this Section, are incorporated by reference including all subsequent amendments and additions. In case of conflict, G.S. 122C Article 3 Part 1 and implementing regulations shall prevail.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;
Temporary Adoption Eff. December 1, 1999.

.2011 OTHER APPLICABLE RULES FOR SPECIAL CARE UNITS

In addition to specific rules pertaining to special care units for residents in this Section, such units shall also meet all other applicable requirements governing the operation of adult care homes as set forth in this Subchapter.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;
Temporary Adoption Eff. December 1, 1999.

SECTION .2100 - SPECIAL CARE UNIT FOR DEVELOPMENTAL DISABILITIES

.2101 DEFINITIONS

The following definitions shall apply throughout this Section:

- (1) "Special care unit" means an entire facility or any section, wing or hallway within an adult care home separated by closed doors from the rest of the home, or a program provided by an adult care home, that is designated or advertised especially for persons with Alzheimer's disease or other dementias, a mental health disability, or other special needs disease or condition as determined by the Medical Care Commission.
- (2) "Developmental disability" means a severe, chronic disability of a person which:
 - (a) is attributable to a mental or physical impairment or a combination of mental and physical

impairments;

- (b) is manifested before the persons attains age 22, unless the disability is caused by traumatic head injury and is manifested after age 22;
- (c) is likely to continue indefinitely;
- (d) results in substantial functional limitations in three or more of the following areas of major life activity: self-care, receptive and expressive language, capacity for independent living, learning, mobility, self-direction and economic self-sufficiency; and,
- (e) reflects the person's need for a combination and sequence of special interdisciplinary, or generic care, treatment, or other services which are of a lifelong or extended duration and are individually planned and coordinated.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;
Temporary Adoption Eff. December 1, 1999.

.2102 ADMISSION TO A SPECIAL CARE UNIT

Any individual with a developmental disability either in a 'special care unit' within an adult care home, or being considered for admission to such a unit or discharge from such a unit must proceed through the Developmental Disabilities Single Portal of Entry and Exit process as is required for all persons with developmental disabilities residing in, being considered for admission or being discharged from an adult care home pursuant to G.S. 122C-132.1 and 10 NCAC 16A. 0400.

History Note: Authority G.S. 131D-2; 131D-4.5; 131D-4.6; 131D-7; 143B-165; S.L. 99-0334;
Temporary Adoption Eff. December 1, 1999.

SECTION .2200 - ADULT CARE HOME LICENSE ELIGIBILITY

.2201 DEFINITIONS

Rule 10 NCAC 42C .3901 shall control for this Subchapter.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0113; S.L. 99-0334;
Temporary Adoption Eff. December 1, 1999.

.2202 PERSONS NOT ELIGIBLE FOR NEW ADULT CARE HOME LICENSES

Rule 10 NCAC 42C .3902 shall control for this Subchapter.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-0113; S.L. 99-0334;
Temporary Adoption Eff. December 1, 1999.

.2203 ADULT CARE HOMES NOT ELIGIBLE FOR LICENSE RENEWAL

Rule 10 NCAC 42C .3903 shall control for this Subchapter.

History Note: Authority G.S. 131D-2; 131D-4.5; 143B-165; S.L. 99-113; S.L. 99-0334;

Temporary Adoption Eff. December 1, 1999.

Rule-making Agency: Social Services Commission

Rule Citation: 10 NCAC 42E .0801, .1501 - .1502; 10 NCAC 42Z .1001; 10 NCAC 42V .0108

Effective Date: September 28, 1999

Findings Reviewed by Beecher R. Gray: Approved

Authority for the rule-making: G.S. 131D-6; 143B-153, S.L. 1999-334

Reason for Proposed Action: 10 NCAC 42E .0801, .1501 - .1502; 10 NCAC 42Z .1001 - The 1999 Session of the General Assembly amended G.S. 131D-6 by adding a new subsection that require adult day care programs that provide, advertise, market, or otherwise promotes itself as providing special care services for person with Alzheimer's Disease or other dementias, a mental health disability, or other special needs disease or conditions to disclose in writing their policies and procedures on the aspects and qualities of the care that composes "special care" to the Department and individuals seeking services.

10 NCAC 42V .0108 - Legislation enacted by the 1999 Session of the General Assembly establishes time frames in G.S. 108A, Article 6 (Protection of the Abused, Neglected or Exploited Disabled Adult Act) for county departments of social services to initiate Adult Protective Services evaluations. The current rules governing this program contain time frames for the initiation of these evaluations and need to be repealed or amended to reflect this new legislative provision. A new rule needs to be adopted to implement the new legislation.

Comment Procedures: If you wish to make comments please contact Ms. Sharnese Ransome, APA Coordinator, Division of Social Services, 2401 Mail Service Center, Raleigh, NC 27699-2401; (919) 733-3055

CHAPTER 42 - INDIVIDUAL AND FAMILY SUPPORT

SUBCHAPTER 42E - ADULT DAY CARE STANDARDS FOR CERTIFICATION

SECTION .0800 - DEFINITION OF TERMS

.0801 DEFINITIONS

(a) "Adaptable Space" means space in a facility that can be used for several purposes with little effort and without sacrificing safety and health standards; for example, an activities room that is used for crafts in the morning, used to serve lunch and used for exercise activities in the afternoon.

(b) "Adult" is an individual 18 years of age or older.

(c) "Alzheimer's Disease" is a progressive, degenerative disease that attacks the brain and results in impaired memory, thinking and behavior. Characteristic symptoms of the disease include gradual memory loss, impaired judgement, disorientation, personality change, difficulty in learning and loss of language skills.

(c) (d) "Ambulatory" refers to a person who is fully mobile and does not need the continuing help of a person or object for support (except a walking cane).

(d) (e) "Capacity" is the number of participants for which a day care program is certified.

(e) (f) "Caretaker" is an adult who regularly provides an impaired adult with continuous supervision, assistance with preparation of meals, assistance with housework and assistance with personal grooming.

(f) (g) "Certification" is the process whereby an adult day care program is approved as meeting adult day care standards.

(g) (h) "Certifying agency" is the Department of Human Resources, Division of Social Services: Health and Human Services, Division of Aging.

(h) (i) "Day Care Center" means a day care program operated in a structure other than a single family dwelling.

(i) (j) "Day Care Home" means a day care program for two to six people operated in a single family dwelling.

(j) (k) "Group Process" means at least three persons engaged in a common activity that can bring pleasure, satisfaction and improvement to all members.

(k) (l) "Institution" is a facility that is established to serve a particular purpose and is required by state law to be provided and maintained by the state and any facility defined in federal regulations as an institution. In North Carolina, the list of institutions includes but is not necessarily limited to: general hospitals, state psychiatric hospitals, state centers for the retarded, skilled nursing facilities, and intermediate care facilities.

(m) "Mental health disability" is a severe, lifelong, chronic condition that is due to a mental or physical impairment or a combination of mental and physical impairments.

(h) (n) "Non-ambulatory" refers to a person who is bedfast.

(m) (o) "Nursing Care" is skilled nursing care or intermediate care.

(m) (p) "Operator" is the person responsible for management of a day care home.

(q) "Other special needs disease or condition" refers to a diagnosis, disease or disability, such as AIDS/HIV, that benefits from monitoring or oversight in a supervised setting.

(q) (r) A "Physical Therapy Program" is a series of activities prescribed by a licensed physical therapist or activities administered under the supervision of a physical therapist.

(p) (s) "Program Director" is the person responsible for program planning, development and implementation in a day care center.

(t) "Related disorders" means dementing or memory impairing conditions characterized by irreversible memory dysfunction.

(q) (u) "Semi-ambulatory" refers to a person who needs and uses the assistance of objects such as a wheelchair, crutches, walker, or other appliance or the support of another person on a regular and continuing basis to move about.

(v) "Special care services" are services by a certified adult day

care center that promotes itself as providing programming, activities or care specifically designed for persons with Alzheimer's Disease or related disorders, mental health disabilities, or other special needs diseases or conditions.

(r) (w) "Supervising agency" is the county department of social services in the county in which the day care program is located. The county department is responsible for seeing that certification standards are met on an on-going basis and for making a recommendation to the Division of Social Services Aging regarding certification.

(s) (x) A "Participant" is a person enrolled in an adult day care program.

(t) (y) A "Senior Center" is a community or neighborhood facility for the organization and provision of a broad spectrum of services including health, social, nutritional and educational services and a facility for recreational and group activities for older persons. (Administration on Aging definition)

History Note: Authority G.S. 131D-6; 143B-153; S. L. 1999-334;

Eff. January 1, 1981;

Amended Eff. July 1, 1990; January 1, 1986; July 1, 1984;

Temporary Amendment Eff. September 28, 1999.

SECTION .1500 - SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIA, MENTAL HEALTH DISABILITIES OR OTHER SPECIAL NEEDS DISEASES OR CONDITIONS IN ADULT DAY CARE CENTERS

.1501 DISCLOSURE

The rules of this Chapter are established to govern the disclosure requirements for adult day care programs that provide or promote special care services for persons with Alzheimer's or other dementia, mental health disabilities, or other special needs diseases or conditions. Only those centers that meet these requirements may advertise or represent themselves as providing special care services as defined in Rule 10 NCAC 42E .0801.

History Note: Authority G.S. 131D-6; 143B-153; S.L. 1999-334;

Temporary Adoption Eff. September 28, 1999.

.1502 POLICIES AND PROCEDURES

Adult Day Care Centers shall assure that written special care services policies and procedures are established, implemented by staff and available for review within the center. In addition to all applicable policies and procedures for adult day care centers, there should be policies and procedures that address:

(1) The philosophy of the special care service which includes a statement of mission and objectives regarding the specific population to be served by the center which shall address, but not be limited to, the following:

(a) a safe, secure, familiar and consistent environment that maintains and encourages the use of skills for daily living;

(b) a structured program of daily activities that allows for flexibility to respond to the needs, abilities, and preferences of participants;

(c) individualized service plans that stress the maintenance of participant's abilities and promote the highest possible level of physical and mental functioning; and

(d) methods of behavior management which preserve dignity through design of the physical environment, physical exercise, social activity, appropriate medication administration, proper nutrition and health maintenance.

(2) The process and criteria for enrollment in and discharge from the service.

(3) A description of the special care services offered by the center.

(4) Participant assessment and service planning, including opportunity for family involvement in the service planning and the implementation of the service plan, including responding to changes in the participant's condition.

(5) Safety measures addressing specific dangers such as wandering, ingestion, falls, smoking, and aggressive behavior.

(6) Lost or missing participants.

(7) Staff to participant ratios in the special care service to meet the needs of participants.

(8) Amount and content areas of staff training both at orientation and annually based on the special care needs of the participants.

(9) Physical environment and design features that address the needs of the participants. These features can encompass an entire center if the center promotes itself as providing special care or any section separated by closed doors from the rest of the center and advertised especially for special care of participants.

(a) Center or section exit doors may be locked only if the locking devices meet the requirements outlined in the N.C. State Building Code for special locking devices;

(b) Where exit doors are not locked, a system of security monitoring shall be provided.

(10) Activities based on personal preferences and needs of the participants that focus on the individual's interests and abilities.

(11) Opportunity for involvement of families in participant care, if applicable.

(12) The availability of or information on family support groups and other community services.

(13) Additional costs and fees to the participant for the special services provided.

History Note: Authority G.S. 131D-6; 143B-153; S.L. 1999-334; *Temporary Adoption Eff. September 28, 1999.*

SUBCHAPTER 42V - PROTECTIVE SERVICES

FOR ADULTS

SECTION .0100 - GENERAL

.0108 DEFINITIONS

(a) "Immediately" as specified in G.S. 108A-103(d), shall mean responds with no delay as soon as a county department of social services receives a report that:

(1) an adult is alleged to be disabled as defined in G.S. 108A-101(d);

(2) an adult is alleged to be abused, neglected, or exploited as defined in G.S. 108A-101(a), (j), or (m); and

(3) an adult is alleged to be in need of protective services as defined in G.S. 108A-101(e).

(b) "A life threatening situation" shall be considered an emergency as defined in G.S. 108A-101(g).

History Note: Authority G.S. 143B-153; S.L. 1999-334; Temporary Adoption Eff. September 28, 1999.

SUBCHAPTER 42Z - ADULT DAY HEALTH STANDARDS FOR CERTIFICATION

SECTION .1000 - SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR RELATED DISORDERS, MENTAL HEALTH DISABILITIES, OR OTHER SPECIAL NEEDS DISEASES OR CONDITIONS IN ADULT DAY CARE CENTERS

.1001 DISCLOSURE

Disclosure standards as set forth in 10 NCAC 42E .0502 shall control for this Subchapter.

History Note: Authority G.S. 131D-6; 143-153; S.L. 1999-334; Temporary Adoption Eff. September 28, 1999.

TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Rule-making Agency: *Department of Environment and Natural Resources*

Rule Citation: *15A NCAC 1J .0301; 1L .0301*

Effective Date: *September 24, 1999*

Findings Reviewed and Approved by: *Julian Mann, III*

Authority for the rule-making: *G.S. 159G-8; 159G-9; 159G-10; 159G-15; S.L. 1998, c. 132, s.10*

Reason for Proposed Action: *The devastation over a large part of North Carolina due to Hurricane Floyd has seriously threatened the public health, safety, and welfare of the citizens. This catastrophe has impaired local governments' ability to*

complete the necessary requirements for funding which will help mitigate these serious health and water quality impacts.

Comment Procedures: *Written comments may be submitted to Bobby Blow, Division of Water Quality, Construction Grants and Loans Sections, DENR, 1633 Mail Service Center, Raleigh, NC 27699-1633.*

CHAPTER 1 - DEPARTMENTAL RULES

SUBCHAPTER 1J - STATE CLEAN WATER REVOLVING LOAN AND GRANT PROGRAM

SECTION .0300 - APPLICATIONS

.0301 APPLICATION FILING DEADLINES

Applications to be considered for a loan or grant award under this Subchapter from funds available in the first semi-annual priority review period of a fiscal year shall have an effective date of receipt of September 30 of that year, which shall be the filing deadline for that priority review period. Applications to be considered for a loan or grant award under this Subchapter from funds available in the second semi-annual priority review period of a fiscal year shall have an effective date of receipt of March 31 of that year, which shall be the filing deadline for that priority review period: review: except that the application filing deadline for funds available from the first semi-annual review period of fiscal year 1999-2000 shall be November 30, 1999.

History Note: Filed as a Temporary Rule Eff. February 2, 1988 for a period of 180 days to expire on August 1, 1988; Authority G.S. 159G-8; 159G-9; 159G-10; 159G-15; ARRC Objection March 17, 1988; Eff. August 1, 1988; Amended Eff. July 1, 1992; Temporary Amendment Eff. September 24, 1999.

SUBCHAPTER 1L - STATE CLEAN WATER BOND LOAN PROGRAM

SECTION .0300 - APPLICATIONS

.0301 APPLICATION FILING DEADLINES

The filing deadline for the review period of July 1 through December 31 is September 30 of that year: year, except that the application filing deadline for the review period of July 1, 1999 through December 31, 1999 shall be November 30, 1999. The filing deadline for the review period of January 1 through June 30 is March 31 of that year.

History Note: Filed as a Temporary Rule Eff. March 8, 1994, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner; Authority S.L. 1998, c. 132, s. 10; Eff. July 1, 1994; Temporary Amendment Eff. September 24, 1999.

TITLE 18 - SECRETARY OF STATE

Rule-making Agency: *Secretary of State*

Rule Citation: 18 NCAC 6 .1212; .1304; .1502

Effective Date: *September 29, 1999*

Instructions on How to Demand a Public Hearing (*must be requested in writing within 15 days of notice*): *Comments concerning this temporary rule may be addressed to David S. Massey, Deputy Securities Administrator, 300 N. Salisbury Street, Suite 100, Raleigh, NC 27603, (919) 733-3924, or Sheila S. Pope, General Counsel, 300 N. Salisbury Street, Suite 300, Raleigh, NC 27603, (919) 733-5150.*

Findings Reviewed by Julian Mann, III: *Agency's findings for temporary rulemaking under G.S. 150B-21.1 was not approved. G.S. 150B-21.1 makes no provision for filing temporary rules based on expiration of temporary rules.*

Authority for the rule-making: *G.S.78A-49*

Reason for Proposed Action: *Changes to G.S. 78A-28; 78A-30; 78A-31 became effective January 1, 1999. Flat filing fees of \$2,000 replaced existing fees for both the registration of public offerings of securities and for notice filings by mutual funds.*

Comment Procedures: *Comments concerning these temporary rules may be addressed to David S. Massey, Deputy Securities Administrator, or Sheila Pope, General Counsel, at 300 N. Salisbury Street, Suite 100, Raleigh, NC 27603, (919) 733-3924. Comments must be received no later than November 15, 1999.*

Fiscal Impact

State **Local Sub.** **None**

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CHAPTER 6 - SECURITIES DIVISION

SECTION .1200 - EXEMPTIONS

.1212 NOTICE FILING PROCEDURES FOR OFFERINGS OF INVESTMENT COMPANY SECURITIES

(a) In lieu of filing a copy of the federal registration statement, an investment company offering securities covered under Section 18(b)(2) of the Securities Act of 1933, as amended, may satisfy the notice filing requirement of G.S. 78A-31(a) by filing the fees required by that section, together with Form NF, Uniform Investment Company Notice Filing. This filing need not be made nor fees paid on any security issued by an investment company if such security is exempt pursuant to the provisions of G.S. 78A-16 or 78A-17.

(b) By filing Form NF, an investment company thereby agrees that, upon receipt of a request from the Securities Division, the investment company will promptly provide to the Division a copy of its current prospectus and statement of additional information if any, as filed with the Securities and Exchange Commission.

(c) By executing the Form NF, the investment company thereby agrees, that for purposes of complying with the laws of this State, such execution shall be deemed to be the consent of the investment company to have the Administrator irrevocably appointed as its agent in this State upon whom may be served any notice, process or pleading in any action or proceeding against it arising out of, or in connection with, the sale of securities covered by such Form NF or arising out of the violation of the securities laws of this State; and that any action or proceeding against the investment company may be commenced in any court of competent jurisdiction and proper venue within this State by service of process upon the Administrator with the same effect as if the investment company was organized or created under the laws of this State and had been served lawfully with process in this State. In the event any notice, process or pleading is served on the investment company through the Administrator, the Administrator shall promptly provide a copy of such notice, process, or pleading to the person indicated in Item 5 of Form NF.

(d) Upon filing Form NF and paying either the minimum or maximum fees fee required by G.S. 78A-31(a)(1), the securities of the investment company may be offered for sale and sold into, from, and within this State until the expiration of the notice filing period pursuant to G.S. 78A-31(a)(4). In order to offer or sell its securities after the expiration of its notice filing, the investment company must extend its notice filing as provided in subsection (f) Paragraph (e) of this Rule. In the event that the Securities Division requests that the investment company provide it with a copy of the investment company's prospectus or statement of additional information, such request shall not restrict the ability of the investment company to offer its securities for sale in this State provided that the Division has received the Form NF and fees as required by G.S. 78A-31(a).

(e) Any investment company that elects to pay a fee less than the maximum fee as provided in G.S. 78A-31(a) shall file a sales report on Form NF, with the Division, within two months after the expiration of the notice filing period.

(f) (e) A notice filing may be renewed by the investment company by filing a current Form NF and paying such fees as are required by G.S. 78A-31(a) within two months after the expiration of the prior notice filing period. Each renewal of a notice filing shall expire on December 31.

(g) (f) Amendments to increase the amount of shares to be offered may be made by filing a revised Form NF, together with the fees required by G.S. 78A-31(a)(5).

History Note: Authority G.S. 78A-31(a); 78A-49(a); Temporary Adoption Eff. October 1, 1997; Eff. August 1, 1998; Temporary Amendment Eff. January 1, 1999; Codifier determined that agency findings did not meet criteria for temporary rule;

Temporary Amendment Eff. September 29, 1999.

SECTION .1300 - REGISTRATION OF SECURITIES

.1304 SECURITIES REGISTRATION AND FILING FEES

(a) All fees (registration and filing) are payable to the Office of the Secretary of State and shall be submitted with the application for original, renewal, or additional registration. The registration fee shall be retained by the administrator, except where the registration is not granted by the administrator or where the registration is withdrawn at the request of the applicant and with the consent of the administrator. The filing fee shall be retained by the administrator in all cases.

(b) The aggregate offering amount of an original or amended registration may be increased prior to or after the effectiveness of the registration by providing the administrator the following:

- (1) An additional registration filing fee of fifty dollars (\$50.00) if such filing occurs after the effective date of the offering; and
- (2) The appropriate registration fee calculated in the manner specified in G.S. 78A-28(b), provided the maximum registration fee has not been paid; and
- (3) (2) An amendment to the Uniform Application to Register Securities (Form U-1).

Additional registrations shall be effective when the administrator so orders.

History Note: Authority G.S. 78A-28(b); 78A-28(j); 78A-31(a); 78A-49(a);

Eff. April 1, 1981;

Amended Eff. September 1, 1990; October 1, 1988; January 1, 1984; July 1, 1982;

Temporary Amendment Eff. October 1, 1997;

Amended Eff. August 1, 1998;

Temporary Amendment Eff. January 1, 1999;

Codifier determined that agency findings did not meet criteria for temporary rule;

Temporary Amendment Eff. September 29, 1999.

SECTION .1500 - MISCELLANEOUS PROVISIONS

.1502 APPLICATION TO EXCHANGE SECURITIES

(a) The application and all accompanying documents shall be typed or printed and submitted to the administrator in duplicate. The application shall be signed and dated by the applicant or by a person authorized to act in the applicant's behalf.

(b) The application shall contain the following information:

- (1) the name, state of incorporation, and principal office address of any person proposing to issue securities or deliver other consideration in the proposed exchange.
- (2) a brief description of the proposed transaction.
- (3) a list and a description of the securities or other consideration to be issued or delivered in the proposed exchange.
- (4) a list and a description of the bona fide securities, claims

or property interests for which the securities or other consideration referred to in (3) of this Rule are to be exchanged, including the name and state of incorporation of the issuer of any such bona fide securities.

- (5) a brief statement of the terms and conditions under which the securities or other consideration will be issued and exchanged or delivered and exchanged for the bona fide securities, claims or property interests.
- (6) a list of the names of all persons to whom the securities will be issued or other consideration delivered in the exchange. If some or all of such persons are to receive the securities or other consideration by virtue of their ownership of shares of stock in a corporation, the applicant may comply with this requirement by submitting a list which shows the shareholders of the corporation and the number of shares held by each shareholder as of a date not more than 30 days prior to the filing of the application.
- (7) a statement setting forth proposed findings of fact which the applicant requests that the administrator find and incorporate in the written decision with respect to the application.
- (8) the date, which shall be within 30 days of the date of filing of the application, on which the applicant requests that the hearing be held.
- (9) any additional information which the applicant desires the administrator to consider. The administrator may require the applicant to submit other information in addition to the information required by this Rule. The administrator may also waive or modify the requirements of this Rule by allowing the applicant to submit less information than this Rule would otherwise require.

(c) The application shall be accompanied by the following documents:

- (1) any written agreement governing the proposed transaction.
- (2) a copy of the notice of the hearing which the applicant will mail to all persons to whom the applicant proposes to issue securities or to deliver other consideration in the proposed transaction.
- (3) an audited balance sheet, prepared in accordance with generally accepted accounting principles, as of the close of the most recent fiscal year of any corporation whose securities will be issued or exchanged in the proposed transaction.
- (4) an audited income statement, prepared in accordance with generally accepted accounting principles, for the most recent fiscal year of any corporation whose securities will be issued or exchanged in the proposed transaction.
- (5) any other documents which the applicant desires the administrator to consider. The administrator may require the applicant to submit other documents in addition to the documents required by this Rule. The administrator may also waive or modify the

requirements of this Rule by allowing the applicant to submit fewer documents other than those which this Rule would otherwise require.

- (6) A written undertaking to pay, upon receipt of an invoice from the administrator, the fee required by G.S. 78A-30(g) and Subparagraph (d)(4) of this Rule.
- (d) The procedure following application shall be as follows:
 - (1) The administrator shall inform the applicant of any deficiencies in the application or of any additional information or documents required and may require the applicant to amend or resubmit the application to comply with the provisions of G.S. 78A-30 or the rules adopted pursuant thereto prior to setting a date for the hearing.
 - (2) Upon the filing of an application complying with the provisions of G.S. 78A-30 and the rules adopted pursuant thereto, the administrator shall inform the applicant of the date, hour and place of the hearing which shall be within 30 days after the filing of the application.
 - (3) The applicant shall mail by United States Mail, Postage Prepaid, notice of such hearing to all persons to whom it is proposed to issue securities or to deliver such other consideration in such exchange, not less than 10 days prior to such hearing. The applicant shall provide to the administrator, on or before the date of the hearing, a certification that the notice of hearing has been so mailed.
 - (4) Following the conclusion of the hearing, the Administrator shall transmit to the applicant an invoice for the fees required by G.S. 78A-30(g). These fees shall be calculated based upon the hours involved in the examination of the application, the conduct of the hearing, and the preparation of any written response, as follows:
 - (A) For the Hearing Officer, the amount of two hundred dollars (\$200.00) per hour.
 - (B) For each Assistant to the Hearing Officer, the amount of one hundred dollars (\$100.00) per hour. But in any event the fee shall be not less than five hundred dollars (\$500.00) nor more than five thousand dollars (\$5000) per fairness hearing.

*History Note: Authority G.S. 78A-30;
Eff. April 1, 1981;
Temporary Amendment Eff. January 1, 1999;
Codifier determined that agency findings did not meet criteria for temporary rule;
Temporary Amendment Eff. September 29, 1999.*

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

CHAPTER 16 - BOARD OF DENTAL EXAMINERS

Rule-making Agency: North Carolina State Board of Dental Examiners

Rule Citation: 21 NCAC 16W .0101-.0102

Effective Date: October 1, 1999

Findings Reviewed and Approved by: Beecher R. Gray

Authority for the rule-making: G.S. 90-223; 90-233

Reason for Proposed Action: *The adoption of 21 NCAC 16W .0101 is to define the term "direction" as used in G.S. 90-233(a). The adoption of 21 NCAC 16W .0102 is necessary to set out training requirements for public health hygienists performing clinical procedures pursuant to G.S. 90-233(a).*

Comment Procedures: *Written comments may be submitted on the subject matter of the proposed rule-making to Christine H. Lockwood, Executive Director of the Board at the Board's office. The Board's address is PO Box 32270, Raleigh, NC 27622-2270.*

SUBCHAPTER 16W - PUBLIC HEALTH HYGIENISTS

SECTION .0100 - PUBLIC HEALTH HYGIENISTS

.0101 DIRECTION DEFINED

Pursuant to G.S. 90-233(a), a public health hygienist may perform clinical procedures under the direction of a licensed dentist who is employed by a State government dental public health program or a local health department as a public health dentist. The specific clinical procedures delegated to the hygienist must be completed, in accordance with a written order from the dentist, within 60 days of the dentist's in-person evaluation of the patient. The dentist's evaluation of the patient shall include a complete oral examination, thorough health history and diagnosis of the patient's condition.

*History Note: Authority G.S. 90-223; 90-233(a);
Temporary Adoption Eff. October 1, 1999.*

.0102 TRAINING FOR PUBLIC HEALTH HYGIENISTS

(a) Prior to performing clinical procedures pursuant to G.S. 90-233(a) under the direction of a duly licensed dentist, a public health hygienist must have:

- (1) five years of experience in clinical dental hygiene;
- (2) CPR certification, updated annually;
- (3) six hours of continuing education in medical emergencies each year; and
- (4) such other training as may be required by the Dental Health Section of the Department of Health and Human Services.

(b) For purposes of this Rule, a minimum of 4000 hours performing primarily prophylaxis or periodontal debridement under the supervision of a duly licensed dentist shall be equivalent to five years experience in clinical dental hygiene.

*History Note: Authority G.S. 90-223; 90-233(a);
Temporary Adoption Eff. October 1, 1999.*

This Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina's Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698. Also, the Contested Case Decisions are available on the Internet at the following address: <http://www.state.nc.us/OAH/hearings/decision/caseindex.htm>.

OFFICE OF ADMINISTRATIVE HEARINGS

Chief Administrative Law Judge
JULIAN MANN, III

Senior Administrative Law Judge
FRED G. MORRISON JR.

ADMINISTRATIVE LAW JUDGES

Sammie Chess Jr.
Beecher R. Gray
Melissa Owens

Meg Scott Phipps
Robert Roosevelt Reilly Jr.
Beryl E. Wade

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
ADMINISTRATION				
Britthaven, Inc. v. Department of Administration and Priva-Trends, Inc.	98 DOA 0811	Chess	06/10/99	
Laidlaw Transit Svcs. Inc. v. Katie G. Dorsett, Sec'y/Dept/Administration	99 DOA 0102	Morrison	06/11/99	14:02 NCR 115
OFFICE OF ADMINISTRATIVE HEARINGS				
Ted Murrell, Zarn, Inc. v. Office of Administrative Hearings	99 OAH 0665	Chess	07/14/99	
Samuel Lee Ferguson v. Office of Administrative Hearings	99 OAH 0718	Chess	07/16/99	
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Archie McLean v. Department of Agriculture	98 DAG 1770	Reilly	07/12/99	14:04 NCR 349
ALCOHOLIC BEVERAGE CONTROL COMMISSION				
Alcoholic Beverage Control Commission v. Keyland, Inc., T/A Cloud 9	98 ABC 1099	Overby	01/17/99	
Alcoholic Beverage Control Commission v. Food Lion, Inc., Store #1351	98 ABC 1270	Gray	03/31/99	14:04 NCR 347
Alcoholic Beverage Control Commission v. Beech Mountain Resort, Inc.	99 ABC 0287	Reilly	08/11/99	
Alcoholic Bev. Control Comm.v. Partnership T/A Mermaid Rest. & Lge.	99 ABC 0367	Chess	09/17/99	
Alcoholic Beverage Control Commission v. Jaeson Nyung Kim	99 ABC 0407	Morrison	07/09/99	
Alcoholic Beverage Control Commission v. Lillian Sarah Clary	99 ABC 0615	Phipps	09/01/99	
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Bobby Mills v. Crime Victims Compensation Commission	98 CPS 1412	Wade	08/06/99	
William Samuel McCraw v. Crime Victims Compensation Commission	98 CPS 1626	Morrison	06/09/99	
Anson D. Looney v. Crime Victims Compensation Commission	99 CPS 0096	Morrison	05/25/99	

Elvin Williams, Jr. v. Crime Victims Compensation Commission	99 CPS 0118	Owens	08/03/99
Michael Anthony Powell v. Crime Victims Compensation Commission	99 CPS 0426	Reilly	08/03/99
Mary Elizabeth Peoples Hogan v. Crime Victims Compensation Comm.	99 CPS 0504	Reilly	07/29/99
Lemuel Ray Jenkins v. Crime Victims Compensation Commission	99 CPS 0521	Gray	09/08/99
Annabell B. McCormick v. Crime Victims Compensation Commission	99 CPS 0564	Phipps	08/04/99

CONTESTED CASE DECISIONS

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R.J. Reynolds Tobacco Co. v. Dept. of Environment & Natural Resources	98 EHR 1315	Wade	06/04/99	14:02 NCR 110
Town of Maysville v. Environment and Natural Resources	99 EHR 0069	Owens	09/27/99	
Willie Setzer v. Department of Environment & Natural Resources	99 EHR 0166	Chess	06/28/99	
Charles H. Jordan v. Brunswick County Health Department	99 EHR 0201	Morrison	06/28/99	
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Roadway Express v. Department of Environment and Natural Resources	99 EHR 0745	Morrison	07/27/99	
Shell Island Homeowners' Association v. DENR, Div. of Env. Health	99 EHR 0814	Owens	08/18/99	
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XVIII Airborne Corps & Fort Bragg, Dept. of the Army, USA v. Environment and Natural Resources, Div. of Air Quality	99 EHR 0283	Wade	08/11/99	
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Andrew Ganey v. Office of the Chief Medical Examiner	98 DHR 1761	Owens	05/12/99	
J.P. Lynch v. Department of Health & Human Services	99 DHR 0111	Reilly	05/25/99	
Paul Walker, Thomas Walker & Mary Walker v. Mecklenburg Area Mental Health	99 DHR 0155	Morrison	08/19/99	
New Hope Living Centers, Eric D. Lewis v. Health & Human Services	99 DHR 0170	Owens	05/25/99	
Frank McKay v. Department of Health & Human Services	99 DHR 0226	Wade	07/06/99	
Joan Marie McDaniel v. Department of Health & Human Services	99 DHR 0305	Reilly	08/05/99	
Lonnie Herring v. Department of Health & Human Services	99 DHR 0350	Reilly	06/03/99	
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In The Beginning, Inc. v. Health & Human Svcs., Div. of Child Dev.	99 DHR 0575	Mann	07/19/99	
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Della C. Jones v. Health & Human Services, Div. of Facility Services	98 DHR 1680	Gray	06/09/99	
Effie Ruth Smith v. Health & Human Svcs., Div. of Facility Services	98 DHR 1774	Chess	07/14/99	
Vivienne Gelonia Marshall v. DHHS, Div. of Facility Services	98 DHR 1786	Phipps	09/02/99	
Doris Lavinier Moser v. Health & Human Services, Div. of Facility Svcs.	99 DHR 0074	Wade	08/06/99	
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Carolyn Grant v. Health & Human Services, Div. of Facility Services	99 DHR 0145	Mann	06/11/99	
Marion Moser Thompson v. Health & Human Svcs., Facility Services	99 DHR 0216	Gray	08/13/99	
Rose Marie Hadley v. Health & Human Svcs., Div. of Facility Services	99 DHR 0218	Wade	08/06/99	

¹ Consolidated Cases.

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Sarah Frances Alford v. Health & Human Svcs., Div. of Facility Svcs.	99 DHR 0220	Phipps	06/08/99	
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Esther Nieves v. Health & Human Services, Div. of Facility Services	99 DHR 0766	Phipps	07/21/99	
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David S. Blackwelder v. Department of Human Resources	97 CSE 0416	Morrison	08/24/99	
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Cedric A. Hurst v. Department of Human Resources	99 CSE 0330	Chess	08/10/99	
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Marquel Simmons v. Department of Health & Human Services	99 CSE 0547	Wade	08/06/99	
Anthony Vincente Battista v. Department of Health & Human Services	99 CSE 0551	Chess	08/31/99	
Gerald Scott Saucier v. Department of Health & Human Services	99 CSE 0576	Mann	06/09/99	
Lawrence Gordon Soles v. Department of Health & Human Services	99 CSE 0581	Morrison	06/09/99	
Mohamed Moustafa v. Department of Health & Human Services	99 CSE 0582	Owens	08/05/99	
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CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Matthew Conklin v. Department of Health & Human Services	99 CSE 0689	Mann	09/17/99	
Charlie James White v. Department of Health & Human Services	99 CSE 0690	Morrison	07/20/99	
Bennie Lamar Knighten v. Department of Health & Human Services	99 CSE 0702	Owens	09/20/99	
Lane Bolton v. Department of Health & Human Services	99 CSE 0735	Phipps	08/06/99	
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Charles Creegan v. Department of Correction	99 OSP 0765	Reilly	08/03/99	
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This index provides information related to notices, rules and other documents published in the Register. It includes information about rules for which Notice of Rule-Making Proceedings or Notice of Text have been published, rules submitted to the Rules Review Commission and rules codified since the last session of the General Assembly. For assistance contact the Rules Division at 919/733-2678.

Fiscal Note: S = Rule affects the expenditure or distribution of state funds, L = Rule affects the expenditure or distribution of local government funds. SE = Rule has a substantial economic impact of at least \$5,000,000 in a 12-month period. * = Rule-making agency has determined that the rule does not impact state or local funds and does not have a substantial economic impact. See G.S. 150B-21.4.

ACUPUNCTURE, LICENSING BOARD

21 NCAC 01 .0101 13.22 NCR 1820

14:03 NCR 243

*

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1 NCAC 17 13.19 NCR 1606

Indian Affairs, Commission of

1 NCAC 15 .0201 13.02 NCR 175

1 NCAC 15 .0205 13.02 NCR 175

1 NCAC 15 .0206 13.02 NCR 175

1 NCAC 15 .0212 13.02 NCR 175

1 NCAC 15 .0213 13.02 NCR 175

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1 NCAC 40 .0101

Temp Expired 05/29/99

1 NCAC 40 .0102

Temp Expired 05/29/99

1 NCAC 40 .0103

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1 NCAC 40 .0201

Temp Expired 05/29/99

1 NCAC 40 .0202

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1 NCAC 40 .0203

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1 NCAC 40 .0204

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1 NCAC 40 .0205

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1 NCAC 40 .0206

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1 NCAC 40 .0207

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1 NCAC 05C	13.04 NCR 360									
1 NCAC 05D	13.04 NCR 360									
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1 NCAC 35 .0101	13.04 NCR 360		13.08 NCR 647	*						
1 NCAC 35 .0103	13.04 NCR 360		13.08 NCR 647	*						
1 NCAC 35 .0202	13.04 NCR 360		13.08 NCR 647	*						
1 NCAC 35 .0304	13.04 NCR 360		13.08 NCR 647	*						
1 NCAC 35 .0308	13.04 NCR 360		13.08 NCR 647	*						
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26 NCAC 02	14.08 NCR 579									
26 NCAC 03	14.08 NCR 579									
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2 NCAC 20B .0104	13.13 NCR 1040		13.18 NCR 1503	*	Object	07/15/99				
2 NCAC 43L .0309	13.14 NCR 1109		13.20 NCR 1718	*	Approve	08/19/99	*			
					Object	07/15/99	*			
					Approve	08/19/99	*			
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2 NCAC 54 .0101	13.14 NCR 1119	13.14 NCR 1119	13.20 NCR 1718	*	Approve	07/15/99			14.06 NCR 490	
2 NCAC 54 .0102	13.14 NCR 1119	13.14 NCR 1119	13.20 NCR 1718	*	Approve	07/15/99			14.06 NCR 490	
2 NCAC 54 .0103	13.14 NCR 1119	13.14 NCR 1119 Temp Expired 10/12/99	13.20 NCR 1718	*	Agcy Withdrew	07/15/99				
2 NCAC 54 .0104	13.14 NCR 1119	13.14 NCR 1119	13.20 NCR 1718	*	Approve	07/15/99	*		14.06 NCR 490	
2 NCAC 54 .0105	13.14 NCR 1119	13.14 NCR 1119 Temp Expired 10/12/99	13.20 NCR 1718	*	Agcy Withdrew	07/15/99				
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2 NCAC 09K .0214	13.14 NCR 1109		13.20 NCR 1717	*	Approve	07/15/99	*		14.06 NCR 490	

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2 NCAC 09L .1201	14:01 NCR 4		14:05 NCR 374	*						
2 NCAC 52B .0206	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0207	13.23 NCR 1946	13.23 NCR 1946	14.03 NCR 128	*						
2 NCAC 52B .0302	13.23 NCR 1901		14.03 NCR 128	*						
2 NCAC 52B .0401	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0402	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0403	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0404	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0405	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0406	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0407	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0408	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0409	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0410	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0411	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0412	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52E .0209	13.23 NCR 1901		14.03 NCR 128	*						
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21 NCAC 57A .0305	13.01 NCR 3		13.05 NCR 513	*	Object Approve	11/19/98 03/18/99	*		14:01 NCR 48	
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21 NCAC 02 .0206	14.08 NCR 578									
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21 NCAC 10 .0203		12.23 NCR 2098	13.14 NCR 1117	*	Approve	04/15/99	*		14:02 NCR 84	
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4 NCAC 01E .0104	11:09 NCR 569		13:08 NCR 652	*	Object	12/17/98				
4 NCAC 01F	11:09 NCR 569				Approve	01/21/99	*		13:22 NCR 1868	
4 NCAC 01H	11:09 NCR 569									
4 NCAC 01I .0101	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I .0101		Temp. Expired 10/29/99	13:20 NCR 1719	L/S	Return to Agcy	08/19/99				
4 NCAC 01I .0102	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE						
4 NCAC 01I .0102		13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew	12/17/98				
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		14:08 NCR 585	14:08 NCR 585	*						
4 NCAC 01I .0201	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 01I .0201		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
		14:08 NCR 585	14:08 NCR 585							
4 NCAC 01I .0202	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 01I .0202		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
		14:08 NCR 585	14:08 NCR 585	L/S						
4 NCAC 01I .0301	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 01I .0301		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
		14:08 NCR 585	14:08 NCR 585							
4 NCAC 01I .0302	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I .0302		Temp. Expired 10/29/99	13:20 NCR 1719	L/S/SE	Return to Agcy	08/19/99				
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4 NCAC 01I .0303	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	L/S	Agcy withdrew	12/17/98				
4 NCAC 01I .0303		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
		14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 01I .0304	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Return to Agcy	08/19/99				
4 NCAC 01I .0304		Temp. Expired 10/29/99	13:20 NCR 1719							
		14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 01I .0401	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Return to Agcy	08/19/99				
4 NCAC 01I .0401		Temp. Expired 10/29/99	13:20 NCR 1719							
		14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 01I .0402	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Return to Agcy	08/19/99				
4 NCAC 01I .0402		Temp. Expired 10/29/99	13:20 NCR 1719							
		14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 01I .0403	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Return to Agcy	08/19/99				
4 NCAC 01I .0403		Temp. Expired 10/29/99	13:20 NCR 1719							
		14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 01I .0404	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Return to Agcy	08/19/99				
4 NCAC 01I .0404		Temp. Expired 10/29/99	13:20 NCR 1719							
		14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew	12/17/98				

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4 NCAC 01H .0405	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0405		Temp. Expired 10/29/99	13.20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 01H .0501	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585	L/S/SE						
4 NCAC 01H .0501		13.15 NCR 1224	13.08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0502	11.09 NCR 569	Temp. Expired 10/29/99	13.20 NCR 1719	L/S	Return to Agcy	08/19/99				
4 NCAC 01H .0502		14.08 NCR 585	14.08 NCR 585	L/S/SE						
4 NCAC 01H .0503	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0503		Temp. Expired 10/29/99	13.20 NCR 1719	L/S	Return to Agcy	08/19/99				
4 NCAC 01H .0601	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585	L/S/SE						
4 NCAC 01H .0601		13.15 NCR 1224	13.08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0701	11.09 NCR 569	Temp. Expired 10/29/99	13.20 NCR 1719	L/S	Return to Agcy	08/19/99				
4 NCAC 01H .0701		14.08 NCR 585	14.08 NCR 585	L/S/SE						
4 NCAC 01H .0801	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0801		Temp. Expired 10/29/99	13.20 NCR 1719	L/S/SE	Return to Agcy	08/19/99				
4 NCAC 01H .0901	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0901		13.15 NCR 1224	13.08 NCR 652	L/S/SE	Return to Agcy	08/19/99				
4 NCAC 01K .0102	11.09 NCR 569	Temp. Expired 10/29/99	13.20 NCR 1719	*	Agcy withdrew	12/17/98				
4 NCAC 01K .0103	11.09 NCR 569	14.08 NCR 585	14.08 NCR 585	L/S/SE	Return to Agcy	08/19/99				
4 NCAC 01K .0302	11.09 NCR 569	13.15 NCR 1224	13.08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01K .0402	11.09 NCR 569	Temp. Expired 10/29/99	13.20 NCR 1719	L/S/SE	Return to Agcy	08/19/99				
4 NCAC 01K .0402		14.08 NCR 585	14.08 NCR 585	*						
4 NCAC 01K .0102	11.09 NCR 569	13.08 NCR 652	13.08 NCR 652	*	Object	12/17/98			13.22 NCR 1868	
4 NCAC 01K .0103	11.09 NCR 569	13.08 NCR 652	13.08 NCR 652	*	Approve	01/21/99	*			
4 NCAC 01K .0302	11.09 NCR 569	13.08 NCR 652	13.08 NCR 652	*	Object	12/17/98	*			
4 NCAC 01K .0402	11.09 NCR 569	13.08 NCR 652	13.08 NCR 652	*	Approve	01/21/99	*			
4 NCAC 01K .0402	11.09 NCR 569	13.08 NCR 652	13.08 NCR 652	*	Object	12/17/98	*			
4 NCAC 01K .0402	11.09 NCR 569	13.08 NCR 652	13.08 NCR 652	*	Approve	01/21/99	*			
4 NCAC 03B .0101	N/A	N/A	N/A	N/A	Object	10/22/98				
4 NCAC 03B .0102	N/A	N/A	N/A	N/A	Approve	03/18/99			14-01 NCR 48	
4 NCAC 03B .0103	N/A	N/A	N/A	N/A	Object	10/22/98			14-01 NCR 48	
4 NCAC 03H .0102	N/A	N/A	N/A	N/A	Approve	03/18/99			14-01 NCR 48	
4 NCAC 03L .0101	13.24 NCR 1997	14.04 NCR 274	14.04 NCR 274	*	Object	10/22/98			14-01 NCR 48	

Banking Commission

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4 NCAC 03L 0102	13:24 NCR 1997		14:01 NCR 274	*						
4 NCAC 03L 0201	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L 0202	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L 0301	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L 0302	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L 0303	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L 0401	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L 0402	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L 0403	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L 0404	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L 0405	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L 0501	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L 0502	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L 0601	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L 0602	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L 0603	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L 0604	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L 0701	13:24 NCR 1997		14:04 NCR 274	*						
4 NCAC 03L 0702	13:24 NCR 1997		14:04 NCR 274	*						
Cape Fear River Navigation and Pilotage Commission										
4 NCAC 15 0119	14:03 NCR 125		14:07 NCR 522	*						
4 NCAC 15 0120	14:03 NCR 125		14:07 NCR 522	*						
4 NCAC 15 0121	14:03 NCR 125		14:07 NCR 522	*						
Industrial Commission										
Public Notice - Hospital Fees for Workers' Compensation Cases										
Secretary of Commerce										
4 NCAC 21	14:08 NCR 577									14:01 NCR 2

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COMMUNITY COLLEGES										
23 NCAC 02B .0104	13.10 NCR 804		13.22 NCR 1849	*						
23 NCAC 02C .0307		13.05 NCR 524	Temp Expired 05/29/99							
23 NCAC 02C .0503		13.10 NCR 815	13.22 NCR 1849	*						
23 NCAC 02C .0504		13.10 NCR 815	13.22 NCR 1849	*						
23 NCAC 02C .0505		13.10 NCR 815	13.22 NCR 1849	*						
23 NCAC 02D .0323	13.19 NCR 1609		14.04 NCR 304	*						
23 NCAC 02D .0324	13.19 NCR 1609		14.04 NCR 304	*						
COSMETIC ART EXAMINERS										
21 NCAC 14A .0101	13.14 NCR 1114	13.14 NCR 1157	13.19 NCR 1652	*	Approve	06/17/99	*		14.05 NCR 402	
21 NCAC 14A .0103	13.14 NCR 1114		13.19 NCR 1652	*	Approve	06/17/99	*		14.05 NCR 402	
21 NCAC 14A .0104	13.14 NCR 1114									
21 NCAC 14A .0105		13.14 NCR 1157	13.19 NCR 1652	*	Approve	06/17/99			14.05 NCR 402	
21 NCAC 14C .0202	13.14 NCR 1114		13.19 NCR 1652	*	Approve	06/17/99	*		14.05 NCR 402	
21 NCAC 14F .0101	13.14 NCR 1114		13.19 NCR 1652	*	Approve	06/17/99	*		14.05 NCR 402	
21 NCAC 14F .0105	13.14 NCR 1114		13.19 NCR 1652	*	Approve	06/17/99	*		14.05 NCR 402	
21 NCAC 14G .0103		13.14 NCR 1157	13.19 NCR 1652	*	Approve	06/17/99	*		14.05 NCR 402	
21 NCAC 14G .0113	N/A		N/A	N/A	Approve	03/18/99			14.01 NCR 48	
21 NCAC 14H .0112		13.16 NCR 1263	13.21 NCR 1794	*	Approve	07/15/99	*		14.06 NCR 490	
21 NCAC 14H .0118		13.16 NCR 1263	13.21 NCR 1794	*	Approve	07/15/99			14.06 NCR 490	
21 NCAC 14I .0104	13.14 NCR 1114		13.19 NCR 1652	*	Object	06/17/99	*			
21 NCAC 14I .0107	13.14 NCR 1114		13.19 NCR 1652	*	Approve	08/19/99				
21 NCAC 14I .0109	13.14 NCR 1114		13.19 NCR 1652	*	Object	06/17/99	*			
21 NCAC 14I .0103	13.14 NCR 1114		13.19 NCR 1652	*	Approve	08/19/99	*		14.05 NCR 402	
21 NCAC 14J .0208	13.14 NCR 1114	13.14 NCR 1157	13.19 NCR 1652	*	Approve	06/17/99	*		14.05 NCR 402	
21 NCAC 14J .0501	13.14 NCR 1114		13.19 NCR 1652	*	Approve	06/17/99	*		14.05 NCR 402	
					Object	06/17/99	*			
					Approve	08/19/99	*			
					Object	06/17/99	*			
					Approve	08/19/99	*			

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21 NCAC 14K .0102		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14K .0107		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14L .0101	13:14 NCR 1114		13:19 NCR 1652	*	Object	06/17/99				
					Approve	08/19/99	*			
21 NCAC 14L .0105	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14L .0109		13:14 NCR 1157								
21 NCAC 14L .0210	N/A		N/A	N/A	Approve	03/18/99			14:01 NCR 48	
21 NCAC 14L .0214	N/A		N/A	N/A	Approve	03/18/99			14:01 NCR 48	
21 NCAC 14L .0216		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14L .0303	13:14 NCR 1114		13:19 NCR 1652	*	Agency Withdrawn	06/17/99				
21 NCAC 14N .0101	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0102	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0103	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0104		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0105	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0108	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0110		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0112	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0113	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0601		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*			
					Approve	08/19/99			14:05 NCR 402	
					Approve	06/17/99			14:05 NCR 402	
21 NCAC 14N .0602		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14N .0701		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14N .0702		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0101		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99				
					Approve	08/19/99	*			
					Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0102		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0103		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0104		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*			
					Approve	08/19/99			14:05 NCR 402	

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					Action	Date				
21 NCAC 140 .0105		13:14 NCR 1157	13:19 NCR 1652	*	Agcy Withdraw	06/17/99				
		Temp Expired 10/12/99								
21 NCAC 140 .0106		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 140 .0107		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0101		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0102		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0103		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0104		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0105		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99	*			
					Approve	08/19/99				
21 NCAC 14P .0106		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0107		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0108		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0109		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0110		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0111		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99				
					Approve	08/19/99				
21 NCAC 14P .0112		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0113		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99				
					Approve	08/19/99	*			
21 NCAC 14P .0114		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99	*			
					Approve	08/19/99				
21 NCAC 14P .0115		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99	*			
					Approve	08/19/99				
21 NCAC 14P .0116		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99	*		14:05 NCR 402	
					Approve	08/19/99				

CULTURAL RESOURCES

7 NCAC 04S .0101 14:05 NCR 370
7 NCAC 04S .0102 14:05 NCR 370
7 NCAC 04S .0103 14:05 NCR 370
7 NCAC 04S .0104 14:05 NCR 370
7 NCAC 04S .0105 14:05 NCR 370

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7 NCAC 04S .0106	14:05 NCR 370									
7 NCAC 04S .0107	14:05 NCR 370									
7 NCAC 04S .0108	14:05 NCR 370									
7 NCAC 04S .0109	14:05 NCR 370									
DENTAL EXAMINERS										
21 NCAC 16G .0101	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16G .0102	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16G .0103	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16H .0101	12:24 NCR 2203									
21 NCAC 16H .0102	12:24 NCR 2203									
21 NCAC 16H .0103	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0104	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0201	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0202	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0203	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0204	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0205	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0206	12:24 NCR 2203									
21 NCAC 16I .0004	11:20 NCR 1538									
21 NCAC 16I .0005	11:20 NCR 1538									
21 NCAC 16M .0101		13:11 NCR 910	13:15 NCR 1218	*	Object Approve	06/17/99 07/15/99	*		14:06 NCR 490	
21 NCAC 16M .0102	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16P .0101	13:10 NCR 804									
21 NCAC 16P .0102	13:10 NCR 804									
21 NCAC 16P .0103	13:10 NCR 804									
21 NCAC 16P .0104	13:10 NCR 804									
21 NCAC 16P .0105	13:10 NCR 804									

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21 NCAC 16Q .0101	12:24 NCR 2203									
21 NCAC 16Q .0201	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16Q .0202	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16Q .0301	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16Q .0302	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16R .0002	11:20 NCR 1538									
21 NCAC 16R .0003	11:20 NCR 1538									
21 NCAC 16R .0005	11:20 NCR 1538									
21 NCAC 16S .0101	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0102	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0201	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0203	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0205	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16S .0205	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16V .0101	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16V .0102	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16W .0101	14:08 NCR 647	14:08 NCR 647								
21 NCAC 16W .0102	14:08 NCR 647	14:08 NCR 647								
ELECTRICAL CONTRACTORS, BOARD OF EXAMINERS										
21 NCAC 18B .0208	N/A		N/A	N/A	Object Approve	06/17/99 07/15/99			14:06 NCR 490	
EMPLOYEE ASSISTANCE PROFESSIONALS, BOARD OF										
21 NCAC 11 .0101	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0102	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Agcy. withdrew					
21 NCAC 11 .0103	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Agcy. withdrew					
21 NCAC 11 .0104	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0105	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0106	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	

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21 NCAC 11 .0107	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0108	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0109	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Object	01/21/99				
21 NCAC 11 .0110	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	02/18/99	*		13:24 NCR 2037	
21 NCAC 11 .0111	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0112	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99			13:22 NCR 1868	
				S/L	Approve	01/21/99	*		13:22 NCR 1868	
ENGINEERS AND SURVEYORS, BOARD OF EXAMINERS FOR										
21 NCAC 56	14:08 NCR 579									
ENVIRONMENT AND NATURAL RESOURCES										
15A NCAC 01J .0101		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01J .0102		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0202		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0301	14:08 NCR 644									
15A NCAC 01J .0303		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0402		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0502		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0504		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01J .0601		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01J .0604		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01J .0701		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0703		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0803		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0903		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0904		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01K	10:19 NCR 2506									
15A NCAC 01L .0101		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0102		13:18 NCR 1528	13:22 NCR 1827	S/L						

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15A NCAC 01L .0203		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0301	14:08 NCR 644	14:08 NCR 644								
15A NCAC 01L .0303		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0501		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01L .0503		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0601		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0604		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0701		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0801		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01L .0902		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01L .1003		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .1004		13:18 NCR 1528	13:22 NCR 1827	*						
Coastal Resources Commission										
15A NCAC 07	11:04 NCR 183									14:02 NCR 74
15A NCAC 07H .0200	13:22 NCR 1818									14:02 NCR 74
15A NCAC 07H .0201	12:21 NCR 1873		13:23 NCR 1937	*						
15A NCAC 07H .0203	12:21 NCR 1873		13:23 NCR 1937	*						
15A NCAC 07H .0208	11:19 NCR 1408		11:27 NCR 2058	*						
15A NCAC 07H .0208	12:21 NCR 1873									
15A NCAC 07H .0209	12:21 NCR 1873		13:23 NCR 1937	S/L						14:02 NCR 74
15A NCAC 07H .0210	12:02 NCR 52									
15A NCAC 07H .0300	13:05 NCR 436									
15A NCAC 07H .0306	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .0306	12:19 NCR 1763									
15A NCAC 07H .0309	13:05 NCR 436			S	Object Approve	07/15/99 08/19/99				*
15A NCAC 07H .1100	12:21 NCR 1873		13:13 NCR 1044							
15A NCAC 07H .1100	14:06 NCR 428									

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15A NCAC 07H .1200	12:21 NCR 1873									
15A NCAC 07H .1200	14:06 NCR 428									
15A NCAC 07H .1300	14:06 NCR 428									
15A NCAC 07H .1301	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07H .1400	12:21 NCR 1873									
15A NCAC 07H .1400	14:06 NCR 428									
15A NCAC 07H .1500	12:21 NCR 1873									
15A NCAC 07H .1500	14:06 NCR 428									
15A NCAC 07H .1600	14:06 NCR 428									
15A NCAC 07H .1601	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07H .1600	11:15 NCR 1200									
15A NCAC 07H .1700	12:21 NCR 1873									
15A NCAC 07H .1800	14:06 NCR 428									
15A NCAC 07H .1805		13:07 NCR 593	13:16 NCR 1259	*	Object	07/15/99				
			13:23 NCR 1937	*	Object	08/19/99				14:02 NCR 74
15A NCAC 07H .1901	12:21 NCR 1873									
15A NCAC 07H .1900	14:06 NCR 428									
15A NCAC 07H .2000	14:06 NCR 428									
15A NCAC 07H .2100	14:06 NCR 428									
15A NCAC 07H .2101	13:05 NCR 436		13:13 NCR 1044	S	Approve	07/15/99	*		14:06 NCR 490	
15A NCAC 07H .2102	13:05 NCR 436		13:13 NCR 1044	S	Approve	07/15/99	*		14:06 NCR 490	
15A NCAC 07H .2105	13:05 NCR 436		13:13 NCR 1044	S	Object	07/15/99	*			
					Approve	08/19/99				
15A NCAC 07H .2200	14:06 NCR 428									
15A NCAC 07H .2300	14:06 NCR 428									
15A NCAC 07H .2301	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07H .2401	13:05 NCR 436		13:13 NCR 1044	S	Approve	05/20/99	*		14:04 NCR 330	
15A NCAC 07H .2402	13:05 NCR 436		13:13 NCR 1044	S	Approve	05/20/99	*		14:04 NCR 330	
15A NCAC 07H .2403	13:05 NCR 436		13:13 NCR 1044	S	Approve	05/20/99			14:04 NCR 330	

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15A NCAC 07H .2404	13.05 NCR 436		13.13 NCR 1044	S	Object	05/20/99				
15A NCAC 07H .2405	13.05 NCR 436		13.13 NCR 1044	S	Approve	06/17/99	*		14.05 NCR 402	
15A NCAC 07J .0200	12.24 NCR 2202				Approve	05/20/99	*		14.04 NCR 330	
15A NCAC 07J .0204		13.07 NCR 593	Temp Expired 06/28/99							
15A NCAC 07J .0204	14.06 NCR 428									
15A NCAC 07J .0404	14.06 NCR 428									
15A NCAC 07J .0405	12.24 NCR 2202									
15A NCAC 07J .0405	14.06 NCR 428									
15A NCAC 07J .0406	14.06 NCR 428									
15A NCAC 07K .0203	12.21 NCR 1873		13.23 NCR 1937	*						14.02 NCR 74
15A NCAC 07K .0203	14.06 NCR 428									
15A NCAC 07K .0208	12.21 NCR 1873									
15A NCAC 07K .0208	14.06 NCR 428									
15A NCAC 07K .0209	12.21 NCR 1873		13.23 NCR 1937	*						14.02 NCR 74
15A NCAC 07L .0202	12.21 NCR 1874									
15A NCAC 07L .0203	12.21 NCR 1874									
15A NCAC 07L .0206	12.21 NCR 1874									
15A NCAC 07L .0302	12.21 NCR 1874									
15A NCAC 07L .0304	12.21 NCR 1874									
15A NCAC 07L .0401	12.21 NCR 1874									
15A NCAC 07L .0405	12.21 NCR 1874									
15A NCAC 07M .0300	12.24 NCR 2202									
15A NCAC 07M .0307	13.22 NCR 1818									
15A NCAC 07M .0401	13.04 NCR 361	13.12 NCR 976	13.16 NCR 1259	*						
15A NCAC 07M .0401	14.01 NCR 44	14.01 NCR 44								
15A NCAC 07M .0402	13.04 NCR 361	13.12 NCR 976	13.16 NCR 1259	*						
15A NCAC 07M .0402	14.01 NCR 44	14.01 NCR 44								

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15A NCAC 02B .0241	14:03 NCR 125									
15A NCAC 02B .0242		13:24 NCR 2017	14:04 NCR 287	*						
15A NCAC 02B .0245	12:23 NCR 2088		13:04 NCR 368	*						
15A NCAC 02B .0246	12:23 NCR 2088		13:04 NCR 368	*						
15A NCAC 02B .0247	12:23 NCR 2088		13:04 NCR 368	L/SE						
15A NCAC 02B .0255	13:23 NCR 1901		14:03 NCR 162	SE						
15A NCAC 02B .0256	13:23 NCR 1901		14:03 NCR 162	SE						
15A NCAC 02B .0257	13:23 NCR 1901		14:03 NCR 162	SE						
15A NCAC 02B .0258	13:23 NCR 1901		14:03 NCR 162	L/SE						
15A NCAC 02B .0259	13:23 NCR 1901		14:03 NCR 162	L/SE						
15A NCAC 02B .0260	13:23 NCR 1901		14:03 NCR 162	SE						
15A NCAC 02B .0261	13:23 NCR 1901		14:03 NCR 162	SE						
15A NCAC 02B .0262	13:23 NCR 1901		13:20 NCR 1727	*						14:02 NCR 73
15A NCAC 02B .0303	13:14 NCR 1111		13:20 NCR 1727	*						
15A NCAC 02B .0304	13:14 NCR 1111		13:20 NCR 1727	*						
15A NCAC 02B .0306	13:14 NCR 1111		13:20 NCR 1727	*						
15A NCAC 02B .0306	13:19 NCR 1606		13:23 NCR 1929	*						
15A NCAC 02B .0308	12:16 NCR 1489									
15A NCAC 02B .0308	13:14 NCR 1111		13:20 NCR 1727	*						
15A NCAC 02B .0310	13:19 NCR 1606		13:23 NCR 1929	*						
15A NCAC 02B .0316	11:26 NCR 1976		12:01 NCR 6	*	Approve	01/15/98	*		12:21 NCR 1886	Disapproved (HB 1402)
15A NCAC 02B .0317	13:19 NCR 1606		13:23 NCR 1929	*						
15A NCAC 02D	13:12 NCR 943									
15A NCAC 02D .0101	12:02 NCR 52									
15A NCAC 02D .0101	12:16 NCR 1482									
15A NCAC 02D .0108	11:15 NCR 1200									
15A NCAC 02D .0307	11:15 NCR 1200									
15A NCAC 02D .0501	11:15 NCR 1200									

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15A NCAC 02D .0501	11:04 NCR 183									
15A NCAC 02D .0501	13:16 NCR 1252									
15A NCAC 02D .0506	14:04 NCR 265									
15A NCAC 02D .0518	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0521	11:15 NCR 1200									
15A NCAC 02D .0521	14:04 NCR 265									
15A NCAC 02D .0523	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .0524	11:15 NCR 1200		14:03 NCR 162	*						
15A NCAC 02D .0524	13:08 NCR 621									
15A NCAC 02D .0525	11:15 NCR 1200									
15A NCAC 02D .0540	13:04 NCR 356									
15A NCAC 02D .0541	13:08 NCR 621									
15A NCAC 02D .0541	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .0542	13:24 NCR 1994									
15A NCAC 02D .0610	11:15 NCR 1200									
15A NCAC 02D .0611	11:15 NCR 1200									
15A NCAC 02D .0612	11:15 NCR 1200									
15A NCAC 02D .0613	11:15 NCR 1200									
15A NCAC 02D .0614	11:15 NCR 1200									
15A NCAC 02D .0615	11:15 NCR 1200									
15A NCAC 02D .0806	11:26 NCR 1976									
15A NCAC 02D .0902	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0903	11:15 NCR 1200									
15A NCAC 02D .0909	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0912	11:15 NCR 1200									
15A NCAC 02D .0917	11:19 NCR 1408									
15A NCAC 02D .0918	11:19 NCR 1408									

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					Action	Date				
15A NCAC 02D .0919	11:19 NCR 1408									
15A NCAC 02D .0920	11:19 NCR 1408									
15A NCAC 02D .0921	11:19 NCR 1408									
15A NCAC 02D .0922	11:19 NCR 1408									
15A NCAC 02D .0923	11:19 NCR 1408									
15A NCAC 02D .0924	11:19 NCR 1408									
15A NCAC 02D .0926	13:16 NCR 1252									
15A NCAC 02D .0927	13:16 NCR 1252									
15A NCAC 02D .0932	13:16 NCR 1252									
15A NCAC 02D .0934	11:19 NCR 1408									
15A NCAC 02D .0948	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0949	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0950	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0951	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0952	12:16 NCR 1482									
15A NCAC 02D .0954	11:15 NCR 1200									
15A NCAC 02D .0958	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .1005	14:04 NCR 265									
15A NCAC 02D .1100	11:08 NCR 442									
15A NCAC 02D .1103	13:04 NCR 356									
15A NCAC 02D .1103	14:04 NCR 265									
15A NCAC 02D .1104	13:04 NCR 356									
15A NCAC 02D .1104	13:16 NCR 1252									
15A NCAC 02D .1105	11:15 NCR 1200									
15A NCAC 02D .1106	11:26 NCR 1976									
15A NCAC 02D .1200	14:04 NCR 265									
15A NCAC 02D .1201	13:12 NCR 943		14:03 NCR 162	*						

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15A NCAC 02D .1202	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1203	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1204	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1205	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1206	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1207	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1208	13:12 NCR 943		14:03 NCR 162	†						
15A NCAC 02D .1209	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1201	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1202	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1203	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1204	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1205	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1206	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1207	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1208	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1209	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1400	13:24 NCR 1994									
15A NCAC 02D .1404	11:15 NCR 1200									
15A NCAC 02D .1700	12:02 NCR 52									
15A NCAC 02D .1703	13:16 NCR 1252		14:07 NCR 524	*						
15A NCAC 02D .1708	13:16 NCR 1252		14:07 NCR 524	*						
15A NCAC 02D .1709	13:16 NCR 1252		14:07 NCR 524	*						
15A NCAC 02D .1801		13:18 NCR 1545	14:03 NCR 162	SE						
15A NCAC 02D .1802		13:22 NCR 1860	14:03 NCR 162	SE						
		13:18 NCR 1545	14:03 NCR 162	SE						
		13:22 NCR 1860	14:03 NCR 162	SE						
15A NCAC 02D .1803		13:18 NCR 1545	14:03 NCR 162	SE						
		13:22 NCR 1860	14:03 NCR 162	SE						

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15A NCAC 02D .1804		13.18 NCR 1545	14:03 NCR 162	SE						
15A NCAC 02D .1805		13.18 NCR 1545 13.24 NCR 2017								
15A NCAC 02D .1903	12.16 NCR 1482									
15A NCAC 02D .1903	13.12 NCR 943									
15A NCAC 02D .1904	12.16 NCR 1482									
15A NCAC 02D .2101	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2102	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2103	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2104	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2200	11:26 NCR 1976									
15A NCAC 02E .0102	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0103	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0106	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0107	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0201	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0202	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0205	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0501	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0502	13:20 NCR 1715		13:24 NCR 1998	S/L/SE						14:01 NCR 3
15A NCAC 02E .0503	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0504	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02H .0226	12:20 NCR 1817	13:04 NCR 426 Temp Expired 05/11/99	13:05 NCR 491	*						14:01 NCR 3
15A NCAC 02H .0806	13:04 NCR 356		14:02 NCR 80	L						14:01 NCR 3
15A NCAC 02H .0800	13:08 NCR 621									
15A NCAC 02H .1202	11.15 NCR 1200									
15A NCAC 02H .1203	11.15 NCR 1200									
15A NCAC 02H .1204	11.15 NCR 1200									

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15A NCAC 02H .1205	11:15 NCR 1200									
15A NCAC 02L .0202	13:04 NCR 356									
15A NCAC 02N	11:15 NCR 1200									
15A NCAC 02N	11:15 NCR 1204									
15A NCAC 02P	11:15 NCR 1200									
15A NCAC 02P .0402	13:24 NCR 1994	14:07 NCR 550								
15A NCAC 02Q .0102	12:16 NCR 1482									
15A NCAC 02Q .0102	13:08 NCR 621		14:03 NCR 162	*						
15A NCAC 02Q .0102	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02Q .0102		13:18 NCR 1545	14:03 NCR 162	*						
15A NCAC 02Q .0102	13:24 NCR 1994		14:07 NCR 524	*						
15A NCAC 02Q .0102	14:04 NCR 265		14:07 NCR 524	*						
15A NCAC 02Q .0103	13:24 NCR 1994									
15A NCAC 02Q .0109	14:04 NCR 265									
15A NCAC 02Q .0202	13:24 NCR 1994		14:07 NCR 524	*						
15A NCAC 02Q .0304	14:04 NCR 265									
15A NCAC 02Q .0305	14:04 NCR 265									
15A NCAC 02Q .0306	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02Q .0401	14:04 NCR 265									
15A NCAC 02Q .0502	13:24 NCR 1994		14:07 NCR 524	S						
15A NCAC 02Q .0503	13:24 NCR 1994		14:07 NCR 524	*						
15A NCAC 02Q .0507	13:24 NCR 1994		14:07 NCR 524	*						
15A NCAC 02Q .0508	13:08 NCR 621		14:07 NCR 524	*						
15A NCAC 02Q .0508	14:04 NCR 265									
15A NCAC 02Q .0700	11:08 NCR 442									
15A NCAC 02Q .0702	13:12 NCR 943		13:20 NCR 1727	*						
15A NCAC 02Q .0703	13:04 NCR 356		14:03 NCR 162	*						

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15A NCAC 02Q .0703	14:04 NCR 265									
15A NCAC 02Q .0711	13:04 NCR 356									
15A NCAC 02Q .0711	13:16 NCR 1252									
15A NCAC 02Q .0800	14:04 NCR 265									
15A NCAC 02R .0204	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0305	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0600	12:02 NCR 52									
15A NCAC 02S	14:04 NCR 272									
Health Services, Commission for										
15A NCAC 13A .0101	14:04 NCR 265									
	14:05 NCR 370									
15A NCAC 13A .0102	14:04 NCR 265									
	14:05 NCR 370									
15A NCAC 13A .0103	14:04 NCR 265									
	14:05 NCR 370									
15A NCAC 13A .0104	14:04 NCR 265									
	14:05 NCR 370									
15A NCAC 13A .0106	14:04 NCR 265									
	14:05 NCR 370									
15A NCAC 13A .0108	14:04 NCR 265									
	14:05 NCR 370									
15A NCAC 13A .0110	14:04 NCR 265									
	14:05 NCR 370									
15A NCAC 13A .0112	14:04 NCR 265									
	14:05 NCR 370									
15A NCAC 13A .0113	14:04 NCR 265									
	14:05 NCR 370									
15A NCAC 13A .0118	14:04 NCR 265									
	14:05 NCR 370									
15A NCAC 13B .1627	11:08 NCR 442		11:13 NCR 1055	*						
15A NCAC 13B .1800	11:08 NCR 442									
15A NCAC 13B .1800	11:26 NCR 1976									
15A NCAC 18A	11:04 NCR 183									
15A NCAC 18A .0432		12:14 NCR 1352								

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15A NCAC 18A .1000	13.16 NCR 1252									
15A NCAC 18A .1300	13.16 NCR 1252									
15A NCAC 18A .1600	13.16 NCR 1252									
15A NCAC 18A .1601		12.21 NCR 1882	Temp Expired 01/26/99							
15A NCAC 18A .1611		12.21 NCR 1882	Temp Expired 01/26/99							
		13.12 NCR 979	13.20 NCR 1738	*	Approve	08/19/99				
		Temp Expired 01/26/99								
15A NCAC 18A .1700	13.16 NCR 1252									
15A NCAC 18A .1720	12.16 NCR 1482	12.18 NCR 1713	Temp Expired 12/11/98							
		12.21 NCR 1882	Temp Expired 01/26/99							
		12.24 NCR 2228	Temp Expired 03/12/99							
15A NCAC 18A .1808	13.08 NCR 621		13.13 NCR 1047	*	Approve	04/15/99	*		14.02 NCR 84	
15A NCAC 18A .1810		12.24 NCR 2228	13.13 NCR 1047	*	Approve	04/15/99			14.02 NCR 84	
		13.20 NCR 1740			Approve	04/15/99	*		14.02 NCR 84	
15A NCAC 18A .1812	13.08 NCR 621		13.13 NCR 1047	*						
15A NCAC 18A .1952		13.12 NCR 979	14.03 NCR 234	*						
15A NCAC 18A .1953		13.12 NCR 979	14.03 NCR 234	*						
15A NCAC 18A .1954		13.12 NCR 979	14.03 NCR 234	*						
15A NCAC 18A .1955		13.12 NCR 979	14.03 NCR 234	*						
15A NCAC 18A .2400	13.16 NCR 1252									
15A NCAC 18A .2515	14.04 NCR 265									
15A NCAC 18A .2515	14.06 NCR 428									
15A NCAC 18A .2600	12.04 NCR 240									
15A NCAC 18A .2618	N/A	N/A	N/A	N/A	Approve	08/19/99				
15A NCAC 18A .2805	12.16 NCR 1482									
15A NCAC 18A .2806	12.16 NCR 1482									
15A NCAC 18A .2807	12.16 NCR 1482									
15A NCAC 18A .2809	12.16 NCR 1482									
15A NCAC 18A .2811	12.16 NCR 1482									
15A NCAC 18A .2814	12.16 NCR 1482									

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15A NCAC 18A .2816	12:16 NCR 1482									
15A NCAC 18A .2818	12:16 NCR 1482									
15A NCAC 18A .2821	12:16 NCR 1482									
15A NCAC 18A .2826	12:16 NCR 1482									
15A NCAC 18A .2835	12:16 NCR 1482									
15A NCAC 18A .2836	12:16 NCR 1482									
15A NCAC 18C .0301	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0302	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0303	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0304	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0305	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0306	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	*						
15A NCAC 18C .0307	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0308	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0309	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .1304	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	*						
15A NCAC 18C .1538	14:05 NCR 370									
15A NCAC 18C .2007	14:05 NCR 370									
15A NCAC 18C .2008	14:05 NCR 370									
15A NCAC 18D .0201	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0203	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0205	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0206	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0304	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0305	13:23 NCR 1928		14:06 NCR 468	*						
15A NCAC 18D .0307	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0308	13:23 NCR 1928		14:06 NCR 468	S/L						

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15A NCAC 18D .0309	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0403	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0701	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 26C .0001	11:19 NCR 1408									
15A NCAC 26C .0002	11:19 NCR 1408									
15A NCAC 26C .0003	11:19 NCR 1408									
15A NCAC 26C .0004	11:19 NCR 1408									
15A NCAC 26C .0005	11:19 NCR 1408									
15A NCAC 26C .0006	11:19 NCR 1408									
15A NCAC 26C .0007	11:19 NCR 1408									

Land Resources/Land and Quality/Sedimentation Control Commission

15A NCAC 04B .0106	12:20 NCAC 1817		13:09 NCR 760	*	Approve	08/19/99	*			
15A NCAC 04B .0107	12:20 NCAC 1817		13:09 NCR 760	*	Approve	08/19/99	*			
15A NCAC 04B .0126	14:07 NCR 520									
15A NCAC 04B .0127	12:20 NCAC 1817		13:09 NCR 760	*	Approve	08/19/99				
15A NCAC 04C .0107	13:12 NCR 943		13:19 NCR 1651	*						

Marine Fisheries Commission

15A NCAC 03	11:11 NCR 881									
15A NCAC 03	11:20 NCR 1537									
15A NCAC 03	11:26 NCR 1985									
15A NCAC 03	13:14 NCR 1113									
15A NCAC 03	13:17 NCR 1377									
15A NCAC 03H .0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03H .0103	12:23 NCR 2089									
15A NCAC 03H .0104	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03H .0105	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03H .0106	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						

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15A NCAC 03I .0107	N/A		N/A	N/A	Approve	06/17/99			14-05 NCR 402	
15A NCAC 03I .0114	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03I .0120	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03J .0103		13-08 NCR 739								
15A NCAC 03J .0103	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03J .0104	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03J .0110	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03J .0202	11-07 NCR 407		11-11 NCR 888	*						
15A NCAC 03J .0301	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03J .0302	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03J .0305	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03K .0101	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03K .0105	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03K .0106	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03K .0202	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03K .0502	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03L .0102	11-07 NCR 407		11-11 NCR 888	*						
15A NCAC 03L .0201	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03L .0206	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03M .0202	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03M .0301	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03M .0501		13-08 NCR 739								
15A NCAC 03M .0503	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03M .0504	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						
15A NCAC 03M .0506		13-22 NCR 1865								
15A NCAC 03M .0507	13-10 NCR 803									
15A NCAC 03M .0507	13-14 NCR 1113	14-01 NCR 18	14-06 NCR 443	*						

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15A NCAC 03M .0511	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0513	11:26 NCR 1976		12:05 NCR 418	*						
15A NCAC 03M .0513	13:14 NCR 1113	14:01 NCR 18								
		14:04 NCR 323	14:06 NCR 443	*						
15A NCAC 03M .0513	13:19 NCR 1666	13:19 NCR 1666								
15A NCAC 03M .0515	12:23 NCR 2089		13:03 NCR 303	*						
15A NCAC 03M .0515	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0516	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0102	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0103	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0104	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0105	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0106	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0107	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0108	13:14 NCR 1113	14:01 NCR 18								
		14:04 NCR 323	14:06 NCR 443	*						
15A NCAC 03O .0109	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0110	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0111	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0201	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0301	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0302	13:14 NCR 1113	14:01 NCR 18								
		14:04 NCR 323	14:06 NCR 443	*						
15A NCAC 03O .0303	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0304	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0305	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0306	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						

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15A NCAC 030.0307	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030.0308	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030.0309	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030.0310	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030.0401	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030.0402	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030.0403	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030.0404	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030.0405	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030.0406	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 03P.0101	N/A		N/A	N/A	Approve	07/15/99			14:06 NCR 490	
15A NCAC 03P.0102	N/A		N/A	N/A	Approve	07/15/99			14:06 NCR 490	
15A NCAC 03Q.0106	N/A		N/A	N/A	Approve	06/17/99			14:05 NCR 402	
15A NCAC 03Q.0107	11:26 NCR 1985		13:13 NCR 1043	*	Approve	05/20/99			14:04 NCR 330	
Parks and Recreation Commission										
15A NCAC 12A.0001	12:13 NCR 1097									
15A NCAC 12A.0004	12:13 NCR 1097									
15A NCAC 12A.0005	12:13 NCR 1097									
15A NCAC 12B.0101	12:13 NCR 1097									
15A NCAC 12B.0104	12:13 NCR 1097									
15A NCAC 12B.0106	12:13 NCR 1097									
15A NCAC 12B.0203	12:13 NCR 1097									
15A NCAC 12B.0401	12:13 NCR 1097									
15A NCAC 12B.0402	12:13 NCR 1097									
15A NCAC 12B.0501	12:13 NCR 1097									
15A NCAC 12B.0602	12:13 NCR 1097									
15A NCAC 12B.0701	12:13 NCR 1097									

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15A NCAC 12B .0702	12:13 NCR 1097									
15A NCAC 12B .0802	12:13 NCR 1097									
15A NCAC 12B .1001	12:13 NCR 1097									
15A NCAC 12B .1004	12:13 NCR 1097									
15A NCAC 12B .1102	12:13 NCR 1097									
15A NCAC 12B .1201	12:13 NCR 1097									
Water Pollution Control System Operators Certification Commission										
15A NCAC 08E	11:26 NCR 1976									
15A NCAC 08F	11:26 NCR 1976									
15A NCAC 08F .0406	13:16 NCR 1252									
15A NCAC 08F .0407	13:16 NCR 1252									
Waste Management										
Public Notice - Seaboard Chemical Corporation										
Well Contractors Certification Commissio										
15A NCAC 27 .0101	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0110	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0201	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0301	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0401	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*			
15A NCAC 27 .0410	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0420	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0430	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99				
15A NCAC 27 .0440	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*			
15A NCAC 27 .0501	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99				
15A NCAC 27 .0510	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*			
15A NCAC 27 .0520	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99				
15A NCAC 27 .0601	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99				

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15A NCAC 27.0701	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99				
15A NCAC 27.0801	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27.0810	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99				
15A NCAC 27.0820	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99				
15A NCAC 27.0830	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*			
15A NCAC 27.0840	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99				
15A NCAC 27.0901	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*			
15A NCAC 27.0910	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*			
15A NCAC 27.0920	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*			
15A NCAC 27.0930	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99				
Wildlife Resources Commission										
15A NCAC 10B.0100	14:08 NCR 577									
15A NCAC 10B.0105	13:07 NCR 595	13:07 NCR 595	13:12 NCR 948	*	Object	04/15/99	*		14:04 NCR 330	
15A NCAC 10B.0109	N/A		N/A	N/A	Approve	05/20/99			14:05 NCR 402	
15A NCAC 10B.0113	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	06/17/99			14:02 NCR 84	
15A NCAC 10B.0115	13:18 NCR 1502		13:22 NCR 1842	*	Approve	04/15/99	*			
15A NCAC 10B.0200	14:08 NCR 577									
15A NCAC 10B.0202	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10B.0203	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10B.0204	N/A		N/A	N/A	Approve	06/17/99			14:05 NCR 402	
15A NCAC 10B.0205	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10B.0209	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10B.0212	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Object	04/15/99	*		14:04 NCR 330	
15A NCAC 10B.0302	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	05/20/99			14:02 NCR 84	
15A NCAC 10B.0403	13:23 NCR 1928				Approve	04/15/99				
15A NCAC 10C.0107	13:08 NCR 625			*	Approve	04/15/99	*			
15A NCAC 10C.0200	14:08 NCR 577									
			13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	

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15A NCAC 10C .0205	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10C .0300	14:08 NCR 577									
15A NCAC 10C .0305	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10C .0400	14:08 NCR 577									
15A NCAC 10C .0401	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10C .0500	14:08 NCR 577									
15A NCAC 10C .0501	13:14 NCR 1113		13:20 NCR 1737	*	Approve	08/19/99	*			
15A NCAC 10C .0502	13:14 NCR 1113		13:20 NCR 1737	*	Approve	08/19/99	*			
15A NCAC 10C .0503	13:14 NCR 1113		13:20 NCR 1737	*	Approve	08/19/99				
15A NCAC 10D .0100	14:08 NCR 577									
15A NCAC 10D .0102	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10D .0102	13:19 NCR 1609									
15A NCAC 10D .0103	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10D .0103	13:19 NCR 1609	14:07 NCR 551	14:01 NCR 6	*						
15A NCAC 10F .0201	NA	N/A	N/A	N/A	Approve	03/18/99			14:01 NCR 48	
15A NCAC 10F .0300	13:14 NCR 1113									
15A NCAC 10F .0300	14:01 NCR 5									
15A NCAC 10F .0303	12:19 NCR 1763									
15A NCAC 10F .0303	14:02 NCR 79									
15A NCAC 10F .0310	13:07 NCR 595	13:15 NCR 1231	13:11 NCR 905	L	Approve	02/18/99	*		13:24 NCR 2037	
15A NCAC 10F .0317	13:08 NCR 625		13:14 NCR 1116	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10F .0321	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99				
15A NCAC 10F .0323	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99				
15A NCAC 10F .0327	14:08 NCR 577									
15A NCAC 10F .0330	13:03 NCR 269	13:07 NCR 595	13:07 NCR 595	S/L	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10F .0330	13:11 NCR 855	13:15 NCR 1217	13:15 NCR 1231	L	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10F .0332	14:08 NCR 577									

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15A NCAC 10F .0333	14:02 NCR 79		14:08 NCR 580	L						
15A NCAC 10F .0336	14:08 NCR 577									
15A NCAC 10F .0339	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99				
15A NCAC 10F .0339	13:23 NCR 1928		14:08 NCR 580	L						
15A NCAC 10F .0342	13:07 NCR 585	13:15 NCR 1231	13:11 NCR 905	L	Approve	02/18/99	*		13:24 NCR 2037	
15A NCAC 10F .0353	14:02 NCR 79									
15A NCAC 10F .0354	14:02 NCR 79									
15A NCAC 10F .0355	14:04 NCR 272		14:08 NCR 580	L						
15A NCAC 10F .0359	12:19 NCR 1763									
15A NCAC 10F .0367	13:14 NCR 1113	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99				14:02 NCR 75 14:03 NCR 123 14:04 NCR 263 14:08 NCR 576

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Voting Rights Act

Voting Rights Act

Voting Rights Act

Voting Rights Act

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21 NCAC 20 .0101	13:19 NCR 1695	13:23 NCR 1942	*
21 NCAC 20 .0103	13:19 NCR 1695	13:23 NCR 1942	*
21 NCAC 20 .0104	13:19 NCR 1695	13:23 NCR 1942	*
21 NCAC 20 .0105	13:19 NCR 1695	13:23 NCR 1942	*
21 NCAC 20 .0106	13:19 NCR 1695	13:23 NCR 1942	*
21 NCAC 20 .0117	13:19 NCR 1695	13:23 NCR 1942	*
21 NCAC 20 .0120	13:19 NCR 1695	13:23 NCR 1942	*
21 NCAC 20 .0122	13:19 NCR 1695	13:23 NCR 1942	*
21 NCAC 20 .0123	13:19 NCR 1695	13:23 NCR 1942	*

GENERAL CONTRACTORS LICENSING BOARD

21 NCAC 12 .0202	13:22 NCR 1821	14:06 NCR 474	*
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21 NCAC 12 .0204		13-06 NCR 568	13-13 NCR 1048	*	Approve	05/20/99			14-04 NCR 330	
21 NCAC 12 .0204	13-22 NCR 1821		14-06 NCR 474	*						
21 NCAC 12 .0205	13-22 NCR 1821		14-06 NCR 474	*						
21 NCAC 12 .0209	13-22 NCR 1821		14-06 NCR 474	*						
21 NCAC 12 .0307	13-22 NCR 1821		14-06 NCR 474	*						
21 NCAC 12 .0402	13-22 NCR 1821		14-06 NCR 474	*						
21 NCAC 12 .0405	13-22 NCR 1821		14-06 NCR 474	*						
21 NCAC 12 .0410	13-22 NCR 1821		14-06 NCR 474	*						
21 NCAC 12 .0503	11-28 NCR 2117									
21 NCAC 12 .0504	11-28 NCR 2117									
21 NCAC 12 .0504	13-13 NCR 1040		13-18 NCR 1524	*						
21 NCAC 12 .0901	13-22 NCR 1821		13-24 NCR 2015	*						
21 NCAC 12 .0902	11-28 NCR 2117		14-06 NCR 474	*						
21 NCAC 12 .0905	11-28 NCR 2117									
21 NCAC 12 .0906	11-28 NCR 2117									
21 NCAC 12 .0907	11-28 NCR 2117									
21 NCAC 12 .0907	13-22 NCR 1821		14-06 NCR 474	*						
21 NCAC 12 .0908	11-28 NCR 2117									
21 NCAC 12 .0909	11-28 NCR 2117									
21 NCAC 12 .0910	11-28 NCR 2117									
21 NCAC 12 .0911	11-28 NCR 2117									
21 NCAC 12 .0912	11-28 NCR 2117									
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21 NCAC 21 .0501	14-05 NCR 372									
21 NCAC 21 .0514	14-05 NCR 372									
21 NCAC 21 .0515	14-05 NCR 372									
21 NCAC 21 .1101	14-05 NCR 372									

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21 NCAC 21 .1102 14:05 NCR 372

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Number 153 - Eff. 05/28/99

Number 154 - Eff. 07/14/99

Number 155 - Eff. 07/20/99

Number 156 - Eff. 07/20/99

Number 157 - Eff. 08/13/99

Number 158 - Eff. 08/30/99

Number 159 - Eff. 09/15/99

Number 160 - Eff. 09/16/99

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9 NCAC 05G .0101

9 NCAC 05G .0102

9 NCAC 05G .0103

9 NCAC 05G .0104

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14:03 NCR 245

14:03 NCR 245

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Aging

10 NCAC 22 10.23 NCR 2956

Blind/State Rehabilitation Council, Commission for the

10 NCAC 19G .0823

10 NCAC 19G .0827

13:17 NCR 1378

13:17 NCR 1378

13:21 NCR 1785

13:21 NCR 1785

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Return to agcy 07/15/99

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Child Day Care Commission

10 NCAC 03U .0102 12:21 NCR 1873

10 NCAC 03U .0705 11:14 NCR 1108

10 NCAC 03U .2000 12:21 NCR 1873

14:03 NCR 154

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10 NCAC 03U .2501	12:21 NCR 1873		14:03 NCR 154	*						
10 NCAC 03U .2502	12:21 NCR 1873		14:03 NCR 154	*						
10 NCAC 03U .2510	12:21 NCR 1873		14:03 NCR 154	L						
10 NCAC 03U .2804	12:21 NCR 1873		14:03 NCR 154	*						
10 NCAC 03U .2811	12:21 NCR 1873		14:03 NCR 154	S						
Controller, Office of										
10 NCAC 01B .0418	13:14 NCR 1109		13:22 NCR 1823	*	Approve	07/15/99	*		14:06 NCR 490	
10 NCAC 01B .0419	13:14 NCR 1109		13:22 NCR 1823	*	Approve	07/15/99	*		14:06 NCR 490	
10 NCAC 01B .0420	13:14 NCR 1109		13:22 NCR 1823	*	Approve	07/15/99	*		14:06 NCR 490	
10 NCAC 01B .0501	14:07 NCR 518	14:08 NCR 594								
10 NCAC 01B .0502	14:07 NCR 518	14:08 NCR 594								
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10 NCAC 03R .1613		13:14 NCR 1119	14:04 NCR 279	*						14:04 NCR 264
10 NCAC 03R .1615		13:14 NCR 1119	14:04 NCR 279	*						
10 NCAC 03R .1713		13:14 NCR 1119	14:04 NCR 279	*						
10 NCAC 03R .1714		13:14 NCR 1119	14:04 NCR 279	*						
10 NCAC 03R .1715		13:14 NCR 1119	14:04 NCR 279	*						
10 NCAC 03R .1912		13:14 NCR 1119	14:04 NCR 279	*						
10 NCAC 03R .1913		13:14 NCR 1119	14:04 NCR 279	*						
10 NCAC 03R .1914		13:14 NCR 1119	14:04 NCR 279	*						
10 NCAC 03R .2113		13:14 NCR 1119	14:04 NCR 279	*						
10 NCAC 03R .2713		13:14 NCR 1119	14:04 NCR 279	*						
10 NCAC 03R .2715		13:14 NCR 1119	14:04 NCR 279	*						
10 NCAC 03R .4203		13:14 NCR 1119	14:04 NCR 279	*						
10 NCAC 03R .6001	11:22 NCR 1704									
10 NCAC 03R .6112		12:15 NCR 1431 Temp Expired 04/15/99	13:02 NCR 178	S/L/SE	Object Object			10/22/98 12/17/98		

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10 NCAC 03R .6201		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6202		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6203		13:14 NCR 1119 14:04 NCR 314	14:03 NCR 130	*						
10 NCAC 03R .6204		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6205		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6206		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6207		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6208		13:14 NCR 1119	14:03 NCR 130	S/L/SE						
10 NCAC 03R .6209		13:14 NCR 1119	14:03 NCR 130	S/L/SE						
10 NCAC 03R .6210		13:14 NCR 1119 14:04 NCR 314	14:03 NCR 130	S/L/SE						
10 NCAC 03R .6211		13:14 NCR 1119	14:03 NCR 130	S/L/SE						
10 NCAC 03R .6212		13:14 NCR 1119	14:03 NCR 130	S/L/SE						
10 NCAC 03R .6213		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6214		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6215		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6216		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6217		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6218		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6219		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6220		13:14 NCR 1119	14:03 NCR 130	S/L/SE						
10 NCAC 03R .6221		13:14 NCR 1119	14:03 NCR 130	S/L/SE						
10 NCAC 03R .6222		13:14 NCR 1119 14:04 NCR 314	14:03 NCR 130	S/L/SE						
10 NCAC 03R .6223		13:14 NCR 1119	14:03 NCR 130	S/L/SE						
10 NCAC 03R .6224		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6225		13:14 NCR 1119	14:03 NCR 130	S/L/SE						
10 NCAC 03R .6226		13:14 NCR 1119	14:03 NCR 130	S/L/SE						

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10 NCAC 03R .6227		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6228		13:14 NCR 1119	14:03 NCR 130	S/L/SE						
10 NCAC 03R .6229		13:14 NCR 1119	14:03 NCR 130	S/L/SE						
10 NCAC 03R .6230		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6231		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6232		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6233		13:14 NCR 1119	14:03 NCR 130	S/L/SE						
10 NCAC 03R .6234		13:14 NCR 1119	14:03 NCR 130	S/L/SE						
10 NCAC 03R .6235		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6236		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6237		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6238		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6239		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6240		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03R .6241		13:14 NCR 1119	14:03 NCR 130	*						
10 NCAC 03S .0108	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0109	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0207	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0208	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0209	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0210	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0211	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0213	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0214	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0307	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0308	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0407	12:24 NCR 2194		14:05 NCR 374	*						

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10 NCAC .03S .0408	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0506	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0507	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0508	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0509	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0510	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0511	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0614	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0615	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0616	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0617	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0618	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0619	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0706	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0707	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0806	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0807	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0808	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0901	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0902	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0903	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .0904	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .1001	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .1002	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .1003	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .1004	12-24 NCR 2194		14-05 NCR 374	*						
10 NCAC .03S .1005	12-24 NCR 2194		14-05 NCR 374	*						

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10 NCAC 03S .1006	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1101	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1201	12:24 NCR 2194		14:05 NCR 374	†						
10 NCAC 03S .1202	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1203	12:24 NCR 2194		14:05 NCR 374	†						
10 NCAC 03S .1204	12:24 NCR 2194		14:05 NCR 374	‡						
10 NCAC 03S .1205	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1206	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1207	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1301	12:24 NCR 2194		14:05 NCR 374	‡						
10 NCAC 03S .1302	12:24 NCR 2194		14:05 NCR 374	†						
10 NCAC 03S .1303	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1401	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1501	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1601	12:24 NCR 2194		14:05 NCR 374	†						
10 NCAC 03S .1701	12:24 NCR 2194		14:05 NCR 374	‡						
10 NCAC 03S .1702	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1801	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1802	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1803	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1804	12:24 NCR 2194		14:05 NCR 374	‡						
10 NCAC 03S .1805	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1806	12:24 NCR 2194		14:05 NCR 374	†						
10 NCAC 03S .1901	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1902	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1903	12:24 NCR 2194		14:05 NCR 374	*						
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10 NCAC 03S .2002	12 24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2101	12 24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2102	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2103	12 24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2104	12 24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2105	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2106	12 24 NCR 2194		14:05 NCR 374	*						
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15A NCAC 16A .1106	13 14 NCR 1114		14:01 NCR 12	*						
15A NCAC 19A .0401	13 11 NCR 855	13:21 NCR 2034	13:24 NCR 2004	*						
15A NCAC 19A .0401	13 22 NCR 1818	13:24 NCR 2034	13:24 NCR 2004	*						
15A NCAC 19A .0401	14 06 NCR 483	14:06 NCR 483								
15A NCAC 19A .0404	13 11 NCR 855		13:24 NCR 2004	*						
15A NCAC 19A .0404	13 22 NCR 1818		13:24 NCR 2004	*						
15A NCAC 19A .0406	13 11 NCR 855		13:24 NCR 2004	*						
15A NCAC 19A .0406	13 22 NCR 1818		13:24 NCR 2004	*						
15A NCAC 19A .0502	13 11 NCR 855	13:13 NCR 1059	13:24 NCR 2004	*						
15A NCAC 19A .0502	13 22 NCR 1818		13:24 NCR 2004	*						
15A NCAC 21F .1201	14 03 NCR 126	14:06 NCR 483								
15A NCAC 21F .1202	14 03 NCR 126	14:06 NCR 483								
15A NCAC 21F .1203	14 03 NCR 126	14:06 NCR 483								
15A NCAC 21F .1204	14 03 NCR 126	14:06 NCR 483								
15A NCAC 21H .0110	12 20 NCR 1822		13:07 NCR 591	S	Extended Rev. Agcy Withdraw	01/21/99 02/02/99				
15A NCAC 21H .0111	12 20 NCR 1822		13:07 NCR 591	S	Approve	01/21/99	*		13:22 NCR 1868	
15A NCAC 21H .0113	12 20 NCR 1822		13:07 NCR 591	*	Approve	01/21/99			13:22 NCR 1868	
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15A NCAC 21.1 .0103	14-04 NCR 272									
15A NCAC 21.01 .0102	14-04 NCR 272									
15A NCAC 21.1 .0103	14-04 NCR 272									
15A NCAC 23 .0201	13-22 NCR 1820		14-02 NCR 80	*						
15A NCAC 23 .0202	13-22 NCR 1820	13-18 NCR 1555	14-02 NCR 80	S/L						
15A NCAC 23 .0204	13-22 NCR 1820		14-02 NCR 80	*						
15A NCAC 23 .0501	13-22 NCR 1820		14-02 NCR 80	*						
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15A NCAC 24A .0403	14-03 NCR 126	14-06 NCR 483								
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15A NCAC 26C .0102	13-22 NCR 1820		14-01 NCR 12	*						
15A NCAC 26C .0103	13-22 NCR 1820		14-01 NCR 12	*						
15A NCAC 26C .0104	13-22 NCR 1820		14-01 NCR 12	*						
15A NCAC 26C .0105	13-22 NCR 1820		14-01 NCR 12	*						
15A NCAC 26C .0106	13-22 NCR 1820		14-01 NCR 12	*						
15A NCAC 26C .0107	13-22 NCR 1820		14-01 NCR 12	*						
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10 NCAC 26B .0113	14-01 NCR 4	14-04 NCR 319								
10 NCAC 26D .0110	12-06 NCR 444		12-21 NCR 1875	*						
10 NCAC 26H .0101	11-14 NCR 1108									
10 NCAC 26H .0102	11-14 NCR 1108									
10 NCAC 26H .0212		12-09 NCR 827 Temp Expired 7/31/98								
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10 NCAC 26H .0213		12-09 NCR 827								
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10 NCAC 26H .0304		13-03 NCR 316	13-08 NCR 668	S/L	Object Approve	12/17/98 01/21/99	*		13-22 NCR 1868	
10 NCAC 26H .0304		14-05 NCR 394								
10 NCAC 26H .0401		13-02 NCR 248	13-12 NCR 947	*	Approve	02/18/99	*		13-24 NCR 2037	
10 NCAC 26I .0101	13-02 NCR 175		13-07 NCR 588	*						
10 NCAC 26K .0106	12-05 NCR 337									
10 NCAC 26K .0106	12-06 NCR 444		12-21 NCR 1875	*						
10 NCAC 26M .0203	12-05 NCR 337									
10 NCAC 26M .0204	12-06 NCR 444		13-01 NCR 5	*						Extend. Com. Period 13-05 NCR 435
10 NCAC 26M .0301		14-04 NCR 319								
10 NCAC 26M .0302		14-04 NCR 319								
10 NCAC 26M .0303		14-04 NCR 319								
10 NCAC 26M .0304		14-04 NCR 319								
10 NCAC 26M .0305		14-04 NCR 319								
10 NCAC 50A .0604	12-06 NCR 444		12-21 NCR 1875	*						
10 NCAC 50B .0101	14-07 NCR 545	14-07 NCR 545								
10 NCAC 50B .0102		13-18 NCR 1526								
10 NCAC 50B .0202	12-06 NCR 444		12-21 NCR 1875	*						
10 NCAC 50B .0302	13-02 NCR 175		13-10 NCR 806	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 50B .0305		14-03 NCR 246								
10 NCAC 50B .0311	13-03 NCR 268									
10 NCAC 50B .0311	14-07 NCR 545	14-07 NCR 545								
10 NCAC 50B .0313	13-02 NCR 175		13-10 NCR 806	*	Approve	02/18/99	*		13-24 NCR 2037	
10 NCAC 50B .0313		13-18 NCR 1526								
10 NCAC 50B .0403	14-07 NCR 545	14-07 NCR 545								

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					Action	Date				
10 NCAC 50B .0408	14:07 NCR 545	14:07 NCR 545								
Medical Care Commission/Secretary of the Department of Health and Human Services										
10 NCAC 03D .1500	11:23 NCR 1779									
10 NCAC 42B .1201	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42B .1212	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42B .1213	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42B .1214	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42B .1215	14:05 NCR 370									
10 NCAC 42B .1407	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42B .1707	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42B .1803	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42B .2013	14:05 NCR 370									
10 NCAC 42B .2014	14:05 NCR 370									
10 NCAC 42B .2501	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42B .2502	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42B .2503	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2005	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2011	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2012	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2013	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2014	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2207	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2214	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2302	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2501	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2505	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2506	14:05 NCR 370	14:08 NCR 606								

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10 NCAC 42C .2703	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42C .3401	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42C .3402	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42C .3701	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42C .3703	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42C .3801	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42C .3802	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42C .3803	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42C .3804	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42C .3805	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42C .3806	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42C .3807	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42C .3808	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42C .3809	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42C .3810	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42C .3901	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42C .3902	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42C .3903	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42D .1301	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42D .1302	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42D .1303	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42D .1401	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42D .1402	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42D .1407	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42D .1410	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42D .1411	14-05 NCR 370	14-08 NCR 606								
10 NCAC 42D .1412	14-05 NCR 370	14-08 NCR 606								

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					Action	Date				
10 NCAC 42D .1413	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1414	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1415	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1416	14:05 NCR 370									
10 NCAC 42D .1503	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1605	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1804	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1813	14:05 NCR 370									
10 NCAC 42D .1821	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1832	14:05 NCR 370									
10 NCAC 42D .1833	14:05 NCR 370									
10 NCAC 42D .1901	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1902	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1903	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1904	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1905	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1906	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1907	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1908	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1909	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1910	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2001	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2002	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2003	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2004	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2005	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2006	14:05 NCR 370	14:08 NCR 606								

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					Action	Date					
10 NCAC 42D .2007	14-05 NCR 370	14-08 NCR 606									
10 NCAC 42D .2008	14-05 NCR 370	14-08 NCR 606									
10 NCAC 42D .2009	14-05 NCR 370	14-08 NCR 606									
10 NCAC 42D .2010	14-05 NCR 370	14-08 NCR 606									
10 NCAC 42D .2011	14-05 NCR 370	14-08 NCR 606									
10 NCAC 42D .2101	14-05 NCR 370	14-08 NCR 606									
10 NCAC 42D .2102	14-05 NCR 370	14-08 NCR 606									
10 NCAC 42D .2201	14-05 NCR 370	14-08 NCR 606									
10 NCAC 42D .2202	14-05 NCR 370	14-08 NCR 606									
10 NCAC 42D .2203	14-05 NCR 370	14-08 NCR 606									
Mental Health, Developmental Disabilities and Substance Abuse Services											
10 NCAC 14V .0802	12-20 NCR 1820	13-22 NCR 1853	13-22 NCR 1853	*							
10 NCAC 14V .0803	12-20 NCR 1820	13-22 NCR 1853	13-22 NCR 1853	*							
10 NCAC 14V .0804	12-20 NCR 1820	13-22 NCR 1853	13-22 NCR 1853	*							
10 NCAC 14V .0805	12-20 NCR 1820	13-22 NCR 1853	13-22 NCR 1853	*							
10 NCAC 14V .3600	14-07 NCR 518										
10 NCAC 14V .3800	12-20 NCR 1820										
10 NCAC 14V .4000	12-20 NCR 1820										
10 NCAC 14V .4301	12-19 NCR 1762										
10 NCAC 14V .4302	12-19 NCR 1762		13-07 NCR 586	*	Approve	01/21/99	*			13-22 NCR 1868	
10 NCAC 14V .4303	12-19 NCR 1762		13-07 NCR 586	*	Object	01/21/99	*			13-24 NCR 2037	
10 NCAC 14V .4304	12-19 NCR 1762		13-07 NCR 586	*	Approve	02/18/99				13-22 NCR 1868	
10 NCAC 14V .4305	12-19 NCR 1762		13-07 NCR 586	*	Approve	01/21/99	*			13-22 NCR 1868	
10 NCAC 14V .4306	12-19 NCR 1762		13-07 NCR 586	*	Approve	01/21/99				13-22 NCR 1868	
10 NCAC 14V .5000	12-20 NCR 1820		13-07 NCR 586	*	Approve	01/21/99				13-22 NCR 1868	
10 NCAC 45G .0410	13-23 NCR 1947	13-23 NCR 1947									
10 NCAC 45H .0205	11-19 NCR 1762	12-24 NCR 2223	13-05 NCR 487	*							

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					Action	Date				
Secretary of Health and Human Services										
10 NCAC 14V .7000	14:07 NCR 518									
10 NCAC 14V .7006		12:01 NCR 31	12:07 NCR 511	*						
		Temp Expired 03/28/98								
10 NCAC 14V .7201	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7202	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7203	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7204	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7205	13:05 NCR 436		13:13 NCR 1042	*						
Social Services Commission										
10 NCAC 24	14:06 NCR 427									
10 NCAC 29C .0103		13:06 NCR 566	13:19 NCR 1611	†	Approve	07/15/99			14:06 NCR 490	
10 NCAC 41E .0401	12:11 NCR 919		13:05 NCR 438	*						
10 NCAC 41E .0403	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0404	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0405	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0406	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0501	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0502	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0503	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0504	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0505	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0506	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	

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10 NCAC 41E .0507	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0508	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0509	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0510	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0511	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0512	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0513	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0514	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0515	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0516	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0517	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0518	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0601	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0602	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0603	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0604	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0605	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0606	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0701	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0702	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0703	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	

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10 NCAC 41E .0704	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0501	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0502	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0504	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0505	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0506	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0507	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0508	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0509	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0510	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0511	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0512	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0513	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0601	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0602	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0603	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0604	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0605	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0606	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0701	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						

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10 NCAC 41G .0702	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0703	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0704	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0705	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0706	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0707	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0708	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0801	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0802	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0803	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0804	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0805	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0806	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0807	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0808	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0809	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0902	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1001	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1002	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1004	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1005	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	

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					Action	Date				
10 NCAC 41G .1006	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1007	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1008	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1009	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1010	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1011	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1012	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1013	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1101	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1102	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1103	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1104	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1105	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1106	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1201	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1202	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1203	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1204	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1205	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1206	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						

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10 NCAC 41G .1207	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1208	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1301	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1302	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1303	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1304	12:11 NCR 919		13:11 NCR 857	*						
			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1305	12:11 NCR 919		13:11 NCR 857	*						
			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1306	12:11 NCR 919		13:11 NCR 857	*						
			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1307	12:11 NCR 919		13:11 NCR 857	*						
			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1308	12:11 NCR 919		13:11 NCR 857	*						
			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1309	12:11 NCR 919		13:11 NCR 857	*						
			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1402	12:11 NCR 919		13:11 NCR 857	*						
			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41H .0100	10:17 NCR 2228		10:21 NCR 2687	*						
10 NCAC 41H .0102	10:17 NCR 2228		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0101	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0102	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0103	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0104	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0105	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0106	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0107	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	

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					Action	Date				
10 NCAC 41S .0101	12:11 NCR 919		13:05 NCR 438 13:11 NCR 857	*	Object	02/18/99				
				*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0102	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0201	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0202	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0203	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0204	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0301	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0302	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0303	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0304	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0305	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0306	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0307	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0401	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0402	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0403	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0404	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0405	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0406	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0407	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	

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10 NCAC 41S .0501	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0502	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0503	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0504	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0505	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0506	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0601	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0602	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0603	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0604	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0605	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0606	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0607	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0608	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0609	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0610	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0611	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0612	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0613	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0614	12:11 NCR 919	14:04 NCR 321	13:05 NCR 438	*	Approve	02/18/99	*		13:24 NCR 2037	

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10 NCAC 41S .0615	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0701	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0702	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0703	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0704	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
			13:11 NCR 857	*	Object	02/18/99				
10 NCAC 41S .0705	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99	*		13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41S .0706	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41S .0707	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41S .0708	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99	*		13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41S .0709	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41S .0710	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41S .0711	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41S .0712	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41S .0713	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41T .0101	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41T .0102	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99	*		13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41T .0103	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41T .0104	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99	*		13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41T .0105	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
			13:11 NCR 857	*						
10 NCAC 41T .0106	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	

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10 NCAC 41T .0201	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41T .0202	12:11 NCR 919		13:05 NCR 438	*			*		13:24 NCR 2037	
10 NCAC 41T .0203	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41T .0204	12:11 NCR 919		13:05 NCR 438	*					13:24 NCR 2037	
10 NCAC 41T .0205	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41T .0206	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 42A .0801	14:06 NCR 427	14:08 NCR 602	13:11 NCR 857	*					13:24 NCR 2037	
10 NCAC 42A .0802	14:06 NCR 427	14:08 NCR 602	13:05 NCR 438	*					13:24 NCR 2037	
10 NCAC 42A .0803	14:06 NCR 427	14:08 NCR 602	13:11 NCR 857	*					13:24 NCR 2037	
10 NCAC 42A .0804	14:06 NCR 427	14:08 NCR 602	13:05 NCR 438	*					13:24 NCR 2037	
10 NCAC 42A .0805	14:06 NCR 427	14:08 NCR 602	13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 42A .0806	14:06 NCR 427	14:08 NCR 602	13:05 NCR 438	*					13:24 NCR 2037	
10 NCAC 42A .0807	14:06 NCR 427	14:08 NCR 602	13:11 NCR 857	*					13:24 NCR 2037	
10 NCAC 42A .0808	14:06 NCR 427	14:08 NCR 602	13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 42A .0809	14:06 NCR 427	14:08 NCR 602	13:11 NCR 857	*					13:24 NCR 2037	
10 NCAC 42A .0810	14:06 NCR 427	14:08 NCR 602								
10 NCAC 42E .0801	14:06 NCR 427	14:08 NCR 642								
10 NCAC 42E .1501	14:06 NCR 427	14:08 NCR 642								
10 NCAC 42E .1502	14:06 NCR 427	14:08 NCR 642								
10 NCAC 42V .0108	14:06 NCR 427	14:08 NCR 642								
10 NCAC 42Z .1001	14:06 NCR 427	14:08 NCR 642								
10 NCAC 47B .0103	14:07 NCR 519	14:08 NCR 602								
10 NCAC 47B .0204	14:07 NCR 519	14:08 NCR 602								
10 NCAC 47B .0407	14:07 NCR 519	14:08 NCR 602								

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10 NCAC 20A .0101	14-07 NCR 519									
10 NCAC 20A .0102	14-07 NCR 519									
10 NCAC 20B .0102	14-07 NCR 519									
10 NCAC 20B .0103	14-07 NCR 519									
10 NCAC 20B .0105	14-07 NCR 519									
10 NCAC 20B .0108	14-07 NCR 519									
10 NCAC 20B .0201	14-07 NCR 519									
10 NCAC 20B .0202	14-07 NCR 519									
10 NCAC 20B .0203	14-07 NCR 519									
10 NCAC 20B .0204	14-07 NCR 519									
10 NCAC 20B .0206	14-07 NCR 519									
10 NCAC 20B .0208	14-07 NCR 519									
10 NCAC 20B .0210	14-07 NCR 519									
10 NCAC 20B .0217	14-07 NCR 519									
10 NCAC 20B .0224		13.17 NCR 1379	14-05 NCR 392	*						
10 NCAC 20B .0225	14-07 NCR 519									
10 NCAC 20B .0228		13.17 NCR 1379	14-05 NCR 392	*						
10 NCAC 20C .0101	14-07 NCR 519									
10 NCAC 20C .0120	14-07 NCR 519									
10 NCAC 20C .0122	14-07 NCR 519									
10 NCAC 20C .0123	14-07 NCR 519									
10 NCAC 20C .0201	14-07 NCR 519									
10 NCAC 20C .0202	14-07 NCR 519									
10 NCAC 20C .0203	14-07 NCR 519									
10 NCAC 20C .0204	14-07 NCR 519									
10 NCAC 20C .0205	14-07 NCR 519									
10 NCAC 20C .0206	14-07 NCR 519									

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10 NCAC 20C .0301	14-07 NCR 519									
10 NCAC 20C .0302	14-07 NCR 519									
10 NCAC 20C .0303	14-07 NCR 519									
10 NCAC 20C .0304	14-07 NCR 519									
10 NCAC 20C .0305	14-07 NCR 519									
10 NCAC 20C .0306	14-07 NCR 519									
10 NCAC 20C .0307	14-07 NCR 519									
10 NCAC 20C .0308	14-07 NCR 519									
10 NCAC 20C .0310	14-07 NCR 519									
10 NCAC 20C .0311	14-07 NCR 519									
10 NCAC 20C .0313	14-07 NCR 519									
10 NCAC 20C .0314	14-07 NCR 519									
10 NCAC 20C .0315	14-07 NCR 519									
10 NCAC 20C .0316	14-07 NCR 519									
10 NCAC 20C .0401	14-07 NCR 519									
10 NCAC 20C .0408	14-07 NCR 519									
10 NCAC 20C .0502	14-07 NCR 519									
10 NCAC 20C .0601	14-07 NCR 519									
10 NCAC 20C .0603	14-07 NCR 519									
10 NCAC 20C .0604	14-07 NCR 519									
10 NCAC 20D .0101	14-07 NCR 519									
10 NCAC 20D .0201	14-07 NCR 519									
10 NCAC 20D .0301	14-07 NCR 519									

HOUSING FINANCE AGENCY

24 NCAC 01H .0103	13-22 NCR 1822									
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14-02 NCR 82

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INSURANCE

11 NCAC 06	12-09 NCR 744									
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11 NCAC 12	12.09 NCR 744									
11 NCAC 12 1702	14.02 NCR 78		14.06 NCR 433	*						
11 NCAC 13	12.09 NCR 744									
11 NCAC 13 .0514	14.02 NCR 78		14.06 NCR 433	*						
11 NCAC 13 .0518	14.02 NCR 78		14.06 NCR 433	*						
11 NCAC 14	12.09 NCR 744									
11 NCAC 15	12.09 NCR 744									
11 NCAC 16	12.09 NCR 744									
11 NCAC 17	12.09 NCR 744									
11 NCAC 20	12.09 NCR 744									
11 NCAC 21	12.09 NCR 744									
Home Inspector Licensure Board										
11 NCAC 08 .1100	14.08 NCR 577									
11 NCAC 08 .1300	14.08 NCR 577									
JUSTICE										
Criminal Justice Education and Training Standards Commission										
12 NCAC 09B .0107	13.14 NCR 1110		13.19 NCR 1611	*	Ext. Review Return to Agency Approve	06/17/99 07/15/99 06/17/99	*		14.05 NCR 402	
12 NCAC 09B .0109	13.14 NCR 1110		13.19 NCR 1611	*	Approve	06/17/99	*		14.05 NCR 402	
12 NCAC 09B .0110	13.14 NCR 1110		13.19 NCR 1611	*	Approve	06/17/99	*		14.05 NCR 402	
12 NCAC 09B .0112	13.14 NCR 1110		13.19 NCR 1611	*	Approve	06/17/99	*		14.05 NCR 402	
12 NCAC 09B .0113	13.14 NCR 1110		13.19 NCR 1611	*	Ext. Review Return to Agency Approve	06/17/99 07/15/99 06/17/99	*		14.05 NCR 402	
12 NCAC 09B .0115	13.14 NCR 1110		13.19 NCR 1611	*	Object Return to Agency Object	06/17/99 07/15/99 06/17/99				
12 NCAC 09B .0201	13.14 NCR 1110		13.19 NCR 1611	*	Object Return to Agency Object	06/17/99 07/15/99 06/17/99				
12 NCAC 09B .0202	13.14 NCR 1110		13.19 NCR 1611	*	Object Return to Agency Object	06/17/99 07/15/99 06/17/99				
12 NCAC 09B .0203	13.14 NCR 1110		13.19 NCR 1611	*	Object Return to Agency Object	06/17/99 07/15/99 06/17/99				
12 NCAC 09B .0204	13.14 NCR 1110		13.19 NCR 1611	*	Object Return to Agency Object	06/17/99 07/15/99 06/17/99				

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12 NCAC 09B .0205	13:14 NCR 1110		13:19 NCR 1611	S/L	Return to Agency	07/15/99				
12 NCAC 09B .0206	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
12 NCAC 09B .0207	13:14 NCR 1110		13:19 NCR 1611	*	Return to Agency	07/15/99				
12 NCAC 09B .0208	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
12 NCAC 09B .0226	13:14 NCR 1110		13:19 NCR 1611	*	Return to Agency	07/15/99			14:05 NCR 402	
12 NCAC 09B .0227	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0228	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99				
12 NCAC 09B .0232	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
12 NCAC 09B .0233	13:14 NCR 1110		13:19 NCR 1611	*	Return to Agency	07/15/99				
12 NCAC 09B .0302	13:14 NCR 1110		13:19 NCR 1611	S	Object	06/17/99				
12 NCAC 09B .0303	13:14 NCR 1110		13:19 NCR 1611	S	Object	06/17/99				
12 NCAC 09B .0304	13:14 NCR 1110		13:19 NCR 1611	S	Object	06/17/99				
12 NCAC 09B .0305	13:14 NCR 1110		13:19 NCR 1611	*	Return to Agency	07/15/99	*		14:05 NCR 402	
12 NCAC 09B .0312	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0403	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0404	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99				
12 NCAC 09B .0405	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
12 NCAC 09B .0406	13:14 NCR 1110		13:19 NCR 1611	*	Return to Agency	07/15/99				
12 NCAC 09B .0407	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0414	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0415	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09C .0211	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09C .0212	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
				*	Approve	06/17/99			14:05 NCR 402	
				*	Approve	06/17/99			14:05 NCR 402	
				*	Approve	06/17/99			14:05 NCR 402	
				*	Approve	06/17/99			14:05 NCR 402	
				*	Object	06/17/99				
				*	Return to Agency	07/15/99				
				*	Object	06/17/99				
				*	Return to Agency	07/15/99				

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12 NCAC 09C .0213	13.14 NCR 1110		13.19 NCR 1611	*	Object	06/17/99				
12 NCAC 09C .0403	13.14 NCR 1110		13.19 NCR 1611	*	Return to Agency	07/15/99			14.05 NCR 402	
12 NCAC 09E .0107	13.14 NCR 1110		13.19 NCR 1611	*	Approve	06/17/99			14.05 NCR 402	
Private Protective Services Board										
12 NCAC 07D .0807	13.14 NCR 1110		14.07 NCR 523	*						
12 NCAC 07D .1201	11.10 NCR 818		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1202	11.10 NCR 818		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1301	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1302	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1303	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1304	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1305	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1306	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1307	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
Sheriffs' Education and Training Standards Commission										
12 NCAC 10B .0103	13.14 NCR 1110		13.19 NCR 1637	S	Object	06/17/99				
12 NCAC 10B .0502	13.14 NCR 1110		13.19 NCR 1637	L	Return to Agency	07/15/99				
12 NCAC 10B .0505	13.14 NCR 1110		13.19 NCR 1637	*	Object	06/17/99				
12 NCAC 10B .0506	13.14 NCR 1110		13.19 NCR 1637	*	Approve	06/17/99			14.05 NCR 402	
12 NCAC 10B .0507	13.14 NCR 1110		13.19 NCR 1637	*	Approve	06/17/99			14.05 NCR 402	
12 NCAC 10B .0508	13.14 NCR 1110		13.19 NCR 1637	*	Approve	06/17/99			14.05 NCR 402	
12 NCAC 10B .0509	13.14 NCR 1110		13.19 NCR 1637	*	Approve	06/17/99			14.05 NCR 402	
12 NCAC 10B .0601	13.14 NCR 1110		13.19 NCR 1637	S/L	Object	06/17/99				
12 NCAC 10B .0606	13.14 NCR 1110									
12 NCAC 10B .0607	13.14 NCR 1110									
12 NCAC 10B .0703	13.14 NCR 1110		13.19 NCR 1637	S/L	Approve	06/17/99	*		14.05 NCR 402	
12 NCAC 10B .0908	13.14 NCR 1110		13.19 NCR 1637	S/L	Approve	06/17/99			14.05 NCR 402	

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					Action	Date				
12 NCAC 10B .1002	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .1401	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .1402	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1403	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1404	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1405	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1406	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99			14:05 NCR 402	
LABOR										
13 NCAC 01A .0100	14:07 NCR 519									
13 NCAC 01B .0100	14:07 NCR 519									
13 NCAC 01B .0200	14:07 NCR 519									
13 NCAC 01B .0300	14:07 NCR 519									
13 NCAC 01B .0400	14:07 NCR 519									
13 NCAC 01B .0500	14:07 NCR 519									
13 NCAC 01B .0600	14:07 NCR 519									
13 NCAC 01C .0100	14:07 NCR 519									
13 NCAC 01C .0200	14:07 NCR 519									
13 NCAC 01C .0300	14:07 NCR 519									
13 NCAC 01C .0400	14:07 NCR 519									
13 NCAC 01C .0500	14:07 NCR 519									
Boiler and Pressure Vessel Division										
13 NCAC 13 .0406	13:03 NCR 269		13:08 NCR 685	*						
13 NCAC 13 .0409	13:03 NCR 269		13:08 NCR 685	*						
Occupational Safety and Health										
*Verbatim Adoption Federal Standards										
13 NCAC 07A .0401	14:02 NCR 78									
13 NCAC 07A .0900	11:11 NCR 881									

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13 NCAC 07F	11-03 NCR 106									
13 NCAC 07F 0101	14-02 NCR 78									
13 NCAC 07F 0201	11-03 NCR 106									
13 NCAC 07F 0201	14-02 NCR 78									
13 NCAC 07F 0301	11-03 NCR 106									
13 NCAC 07F 0410	14-02 NCR 78									
13 NCAC 07F 0601	13-02 NCR 176		13-21 NCR 1786	S/L/SE						
13 NCAC 07F 0602	13-02 NCR 176		13-21 NCR 1786	S/L						
13 NCAC 07F 0603	13-02 NCR 176		13-21 NCR 1786	S/L/SE						
13 NCAC 07F 0604	13-02 NCR 176		13-21 NCR 1786	S/L/SE						
13 NCAC 07F 0605	13-02 NCR 176		13-21 NCR 1786	S/L/SE						
13 NCAC 07F 0606	13-02 NCR 176		13-21 NCR 1786	S/L						
Retaliatory Employment Discrimination										
13 NCAC 19 0101	N/A	N/A	N/A	N/A	Approve	08/19/99				
Wage and Hour Division										
13 NCAC 12 0501	13-03 NCR 268									
13 NCAC 12 0801	13-03 NCR 268									
13 NCAC 12 0802	13-03 NCR 268									
LANDSCAPE ARCHITECTS, BOARD OF										
21 NCAC 26 0101	14-05 NCR 373									
21 NCAC 26 0104	12-08 NCR 730	Temp Expired 07/12/98								
21 NCAC 26 0104	14-05 NCR 373									
21 NCAC 26 0105	12-08 NCR 730	Temp Expired 07/12/98								
21 NCAC 26 0105	14-05 NCR 373									
21 NCAC 26 0302	12-08 NCR 730	Temp Expired 07/12/98								
21 NCAC 26 0506	12-08 NCR 730	Temp Expired 07/12/98								
21 NCAC 26 0507	12-08 NCR 730	Temp Expired 07/12/98								

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21 NCAC 26 .0508 12-08 NCR 730 Temp Expired 07/12/98
 21 NCAC 26 .0509 12-08 NCR 730 Temp Expired 07/12/98

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21 NCAC 32 13-06 NCR 538
 21 NCAC 32B 11-18 NCR 1369
 21 NCAC 32B 12-04 NCR 245
 21 NCAC 320 .0118 11-18 NCR 1369 †
 21 NCAC 320 .0119 11-18 NCR 1369 *
 21 NCAC 320 .0120 11-18 NCR 1369 *
 21 NCAC 320 .0121 11-18 NCR 1369 ‡
 21 NCAC 32R .0101 14-03 NCR 127
 21 NCAC 32R .0102 14-03 NCR 127
 21 NCAC 32R .0103 14-03 NCR 127
 21 NCAC 32R .0104 14-03 NCR 127
 13-08 NCR 709
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 13-08 NCR 709
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21 NCAC 34C 12-09 NCR 745

MUNICIPAL INCORPORATIONS PETITION

NURSING, BOARD OF

21 NCAC 36 .0213 13-22 NCR 1821
 21 NCAC 36 .0227 14-07 NCR 521
 21 NCAC 36 .0404 14-07 NCR 521
 21 NCAC 36 .0701 14-07 NCR 521
 21 NCAC 36 .0702 14-07 NCR 521
 21 NCAC 36 .0703 14-07 NCR 521
 21 NCAC 36 .0704 14-07 NCR 521
 21 NCAC 36 .0705 14-07 NCR 521
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21 NCAC 37D .0202		14-05 NCR 398								
21 NCAC 37D .0302	14-08 NCR 578									
21 NCAC 37D .0303	14-08 NCR 578									
21 NCAC 37D .0403	14-08 NCR 578									
21 NCAC 37D .0502	14-08 NCR 578									
21 NCAC 37D .0504	14-08 NCR 578									
21 NCAC 37D .0605	14-08 NCR 578									
21 NCAC 37D .0701	14-08 NCR 578									
21 NCAC 37E .0101	14-08 NCR 578									
21 NCAC 37E .0102		14-05 NCR 398								
21 NCAC 37E .0102	14-08 NCR 578									
21 NCAC 37F .0101	14-08 NCR 578									
21 NCAC 37F .0102		14-05 NCR 398								
21 NCAC 37F .0102	14-08 NCR 578									
21 NCAC 37G .0102		14-05 NCR 398								
21 NCAC 37G .0201		14-05 NCR 398								
21 NCAC 37G .0201	14-08 NCR 578									
21 NCAC 37G .0202	14-08 NCR 578									
21 NCAC 37H .0102		14-05 NCR 398								
21 NCAC 37H .0102	14-08 NCR 578									
21 NCAC 37H .0104	14-08 NCR 578									
21 NCAC 37I .0101	14-08 NCR 578									
PHARMACY, BOARD OF										
21 NCAC 46 .1317	13-22 NCR 1821									
21 NCAC 46 .1413	13-22 NCR 1821		14-06 NCR 480	*						
21 NCAC 46 .1414	13-22 NCR 1821									
21 NCAC 46 .1508	13-22 NCR 1821		14-06 NCR 480	*						

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21 NCAC 46 .1601	13.22 NCR 1821									
21 NCAC 46 .1608	12.24 NCR 2203									
21 NCAC 46 .1609	12.24 NCR 2203									
21 NCAC 46 .1804	12.03 NCR 168		12.07 NCR 527 12.09 NCR 797 13.02 NCR 246	*	State Budget Object Object Object Approve	03/20/98 12/17/98 02/18/99 04/15/99 05/20/99			14.04 NCR 330	
21 NCAC 46 .1810	13.22 NCR 1821		14.06 NCR 480	*						
21 NCAC 46 .1813	13.22 NCR 1821									
21 NCAC 46 .1814	13.22 NCR 1821		14.06 NCR 480	*						
21 NCAC 46 .1815		13.11 NCR 910	13.22 NCR 1848 13.24 NCR 2016 14.06 NCR 480	*	Approve	08/19/99	*			
21 NCAC 46 .1816	13.22 NCR 1821			*						
21 NCAC 46 .2103	12.03 NCR 168		12.07 NCR 527	*						
21 NCAC 46 .2301	12.03 NCR 168		12.09 NCR 797	*						
			12.07 NCR 527	*						
			12.09 NCR 797	*						
21 NCAC 46 .2306	12.24 NCR 2203		13.04 NCR 419	*	Object	11/19/98				
21 NCAC 46 .2506	12.24 NCR 2203		13.04 NCR 419	*	Object	12/17/98				
PHYSICAL THERAPY EXAMINERS										
21 NCAC 48F .0102	14.06 NCR 489	14.06 NCR 489								
PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, EXAMINERS OF										
21 NCAC 50 .0106	12.07 NCR 509									
21 NCAC 50 .0202	12.07 NCR 509									
21 NCAC 50 .0301	14.06 NCR 429									
21 NCAC 50 .0304	14.06 NCR 429									
21 NCAC 50 .0306	14.06 NCR 429									
21 NCAC 50 .0310	14.06 NCR 429									

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21 NCAC 50 .0402	14:06 NCR 429									
21 NCAC 50 .0404	14:06 NCR 429									
21 NCAC 50 .0406	14:06 NCR 429									
21 NCAC 50 .0407	14:06 NCR 429									
21 NCAC 50 .0412	14:06 NCR 429									
21 NCAC 50 .0505	14:06 NCR 429									
21 NCAC 50 .0506	12:07 NCR 509	12:07 NCR 557	Temp Expired 06/28/98							
21 NCAC 50 .0506	14:06 NCR 429									
21 NCAC 50 .0508	14:06 NCR 429									
21 NCAC 50 .1101	14:06 NCR 429									
21 NCAC 50 .1102	14:06 NCR 429									
21 NCAC 50 .1201	12:07 NCR 509									
21 NCAC 50 .1201	14:06 NCR 429									
21 NCAC 50 .1202	14:06 NCR 429									
21 NCAC 50 .1203	14:06 NCR 429									
21 NCAC 50 .1204	14:06 NCR 429									
21 NCAC 50 .1205	12:07 NCR 509									
21 NCAC 50 .1205	14:06 NCR 429									
21 NCAC 50 .1206	12:07 NCR 509									
21 NCAC 50 .1206	14:06 NCR 429									
21 NCAC 50 .1207	14:06 NCR 429									
21 NCAC 50 .1208	14:06 NCR 429									
21 NCAC 50 .1209	14:06 NCR 429									
21 NCAC 50 .1210	12:07 NCR 509									
21 NCAC 50 .1210	14:06 NCR 429									
21 NCAC 50 .1211	14:06 NCR 429									
21 NCAC 50 .1212	12:07 NCR 509									

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21 NCAC 50.1212	14-06 NCR 429									
21 NCAC 50.1213	14-06 NCR 429									
21 NCAC 50.1214	14-06 NCR 429									
21 NCAC 50.1302	12-07 NCR 509									
PSYCHOLOGY BOARD										
21 NCAC 54.1611	12-05 NCR 338		13-13 NCR 1050	*						
21 NCAC 54.1612	12-05 NCR 338									
21 NCAC 54.1613	12-05 NCR 338									
21 NCAC 54.1901	13-21 NCR 1784									
21 NCAC 54.2006	12-05 NCR 338									
21 NCAC 54.2010	12-05 NCR 338									
21 NCAC 54.2104	12-05 NCR 338		13-13 NCR 1050	*						
21 NCAC 54.2301	12-05 NCR 338									
21 NCAC 54.2302	12-05 NCR 338									
21 NCAC 54.2303	12-05 NCR 338									
21 NCAC 54.2304	12-05 NCR 338									
21 NCAC 54.2305	12-05 NCR 338									
21 NCAC 54.2306	12-05 NCR 338									
21 NCAC 54.2307	12-05 NCR 338									
21 NCAC 54.2308	12-05 NCR 338									
21 NCAC 54.2309	12-05 NCR 338									
21 NCAC 54.2310	12-05 NCR 338									
21 NCAC 54.2311	12-05 NCR 338									
21 NCAC 54.2312	12-05 NCR 338									
21 NCAC 54.2313	12-05 NCR 338									
21 NCAC 54.2314	12-05 NCR 338									
21 NCAC 54.2401	12-05 NCR 338									

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21 NCAC 54 .2402	12.05 NCR 338									
21 NCAC 54 .2501	12.05 NCR 338									
21 NCAC 54 .2502	12.05 NCR 338									
21 NCAC 54 .2503	12.05 NCR 338									
21 NCAC 54 .2504	12.05 NCR 338									
21 NCAC 54 .2505	12.05 NCR 338									
21 NCAC 54 .2601	12.05 NCR 338									
21 NCAC 54 .2602	12.05 NCR 338									
21 NCAC 54 .2704	12.05 NCR 338		13.13 NCR 1050	*						
21 NCAC 54 .2705	12.05 NCR 338									
21 NCAC 54 .2706	12.05 NCR 338		13.13 NCR 1050	*						
21 NCAC 54 .2801	12.05 NCR 338		13.13 NCR 1050	*						
21 NCAC 54 .2802	12.05 NCR 338		13.13 NCR 1050	*						
21 NCAC 54 .2803	12.05 NCR 338		13.13 NCR 1050	*						
21 NCAC 54 .2804	12.05 NCR 338		13.13 NCR 1050	*						
21 NCAC 54 .2805	12.05 NCR 338		13.13 NCR 1050	*						
21 NCAC 54 .2806	12.05 NCR 338		13.13 NCR 1050	*						
21 NCAC 54 .2807	12.05 NCR 338		13.13 NCR 1050	*						
PUBLIC EDUCATION										
16 NCAC 06B .0108		13.13 NCR 1061	13.18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06C .0100	14:06 NCR 428									
16 NCAC 06C .0102			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0103			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0200	14:06 NCR 428									
16 NCAC 06C .0202			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0205			13.18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0205			13.24 NCR 2008	*						

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					Action	Date				
16 NCAC 06C .0206			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0207			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0300	14:06 NCR 428									
16 NCAC 06C .0301			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0302			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0303			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0304			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0305			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0306			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0307			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0308			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0309			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0311			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0312			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0313			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0400	14:06 NCR 428									
16 NCAC 06C .0501			13:18 NCR 1503	*	Object	07/15/99				
					Approve	08/19/99				
					Approve	07/15/99	*		14:06 NCR 490	
16 NCAC 06D .0103	12:22 NCR 2010		13:18 NCR 1503	*						
	Temp Expired 02/09/99									
16 NCAC 06D .0103			13:24 NCR 2008	S						
16 NCAC 06D .0210			13:18 NCR 1503	*	Approve	07/15/99	*		14:06 NCR 490	
16 NCAC 06D .0301			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06D .0302			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06D .0303			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06D .0304			13:24 NCR 2008	S						
16 NCAC 06D .0305			13:18 NCR 1503	*	Approve	07/15/99	*		14:06 NCR 490	
16 NCAC 06D .0501			13:24 NCR 2008	S						
16 NCAC 06D .0502			13:24 NCR 2008	S						

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					Action	Date				
16 NCAC 06D .0503			13:24 NCR 2008	S						
16 NCAC 06D .0504			13:24 NCR 2008	S						
16 NCAC 06D .0505			13:24 NCR 2008	S						
16 NCAC 06D .0506			13:24 NCR 2008	S						
16 NCAC 06D .0507			13:24 NCR 2008	S						
16 NCAC 06E .0202			13:18 NCR 1503	*	Return to Agency 07/15/99					
16 NCAC 06E .0202	14:06 NCR 428									
16 NCAC 06E .0301		13:05 NCR 523								
16 NCAC 06E .0301			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06G .0202			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06G .0308			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06G .0309			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06G .0311		12:22 NCR 2010 Temp Expired 02/09/99	13:18 NCR 1503	*	Approve	07/15/99	*		14:06 NCR 490	
16 NCAC 06G .0502			13:18 NCR 1503	*	Return to Agency 07/15/99					
16 NCAC 06G .0502	14:06 NCR 428									
16 NCAC 06H .0101			13:18 NCR 1503	*	Return to Agency 07/15/99					
16 NCAC 06H .0103			13:18 NCR 1503	*	Return to Agency 07/15/99					
16 NCAC 06H .0103	14:06 NCR 428									
16 NCAC 06H .0105			13:18 NCR 1503	*	Return to Agency 07/15/99					
16 NCAC 06H .0106			13:18 NCR 1503	*	Return to Agency 07/15/99					
16 NCAC 06H .0106	14:06 NCR 428									
16 NCAC 06H .0107			13:18 NCR 1503	*	Return to Agency 07/15/99					
16 NCAC 06H .0107	14:06 NCR 428									
16 NCAC 06H .0108			13:18 NCR 1503	*	Return to Agency 07/15/99					
16 NCAC 06H .0109			13:18 NCR 1503	*	Return to Agency 07/15/99					
16 NCAC 06H .0110			13:18 NCR 1503	*	Return to Agency 07/15/99					

REAL ESTATE COMMISSION

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					Action	Date				
21 NCAC 58A .0107	14:06 NCR 429									
21 NCAC 58A .0109	14:06 NCR 429									
21 NCAC 58A .0110	14:06 NCR 429									
21 NCAC 58A .0113	14:06 NCR 429									
21 NCAC 58A .0114	14:06 NCR 429									
21 NCAC 58A .0301	14:06 NCR 429									
21 NCAC 58A .0302	14:06 NCR 429									
21 NCAC 58A .0303	14:06 NCR 429									
21 NCAC 58A .0304	14:06 NCR 429									
21 NCAC 58A .0401	14:06 NCR 429									
21 NCAC 58A .0402	14:06 NCR 429									
21 NCAC 58A .0403	14:06 NCR 429									
21 NCAC 58A .0404	14:06 NCR 429									
21 NCAC 58A .0406	14:06 NCR 429									
21 NCAC 58A .0503	14:06 NCR 429									
21 NCAC 58A .0505	14:06 NCR 429									
21 NCAC 58A .0601	14:06 NCR 429									
21 NCAC 58A .1402	14:06 NCR 429									
21 NCAC 58A .1703	14:06 NCR 429									
21 NCAC 58A .1708	14:06 NCR 429									
21 NCAC 58B .0101	14:06 NCR 429									
21 NCAC 58B .0102	14:06 NCR 429									
21 NCAC 58C .0105	14:06 NCR 429									
21 NCAC 58C .0106	14:06 NCR 429									
21 NCAC 58C .0107	14:06 NCR 429									
21 NCAC 58C .0207	14:06 NCR 429									
21 NCAC 58C .0213	14:06 NCR 429									

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					Action	Date				
21 NCAC 58C .0214	14-06 NCR 429									
21 NCAC 58C .0217	14-06 NCR 429									
21 NCAC 58C .0218	14-06 NCR 429									
21 NCAC 58C .0302	14-06 NCR 429									
21 NCAC 58C .0304	14-06 NCR 429									
21 NCAC 58C .0305	14-06 NCR 429									
21 NCAC 58C .0306	14-06 NCR 429									
21 NCAC 58C .0307	14-06 NCR 429									
21 NCAC 58C .0310	14-06 NCR 429									
21 NCAC 58C .0312	14-06 NCR 429									
21 NCAC 58E .0102	14-06 NCR 429									
21 NCAC 58E .0202	14-06 NCR 429									
21 NCAC 58E .0204	14-06 NCR 429									
21 NCAC 58E .0205	14-06 NCR 429									
21 NCAC 58E .0304	14-06 NCR 429									
21 NCAC 58E .0310	14-06 NCR 429									
21 NCAC 58E .0412	14-06 NCR 429									
21 NCAC 58E .0515	14-06 NCR 429									
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21 NCAC 60 .0102	14-08 NCR 579									
21 NCAC 60 .0207	14-08 NCR 579									
21 NCAC 60 .0311	14-08 NCR 579									
21 NCAC 60 .1102	14-08 NCR 579									
REVENUE										
17 NCAC 04B .0102	N/A		13-08 NCR 690							N/A
17 NCAC 04B .0104	N/A		13-08 NCR 690							N/A
17 NCAC 04B .0105	N/A		13-08 NCR 690							N/A

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					Action	Date					
17 NCAC 04B .0106	N/A		13-08 NCR 690	.	N/A						
17 NCAC 04B .0107	N/A		13-08 NCR 690		N/A						
17 NCAC 04B .0301	N/A		13-08 NCR 690		N/A						
17 NCAC 04B .0302	N/A		13-08 NCR 690		N/A						
17 NCAC 04B .0306	N/A		13-08 NCR 690		N/A						
17 NCAC 04B .0308	N/A		13-08 NCR 690		N/A						
17 NCAC 04B .0309	N/A		13-08 NCR 690		N/A						
17 NCAC 04B .0310	N/A		13-08 NCR 690		N/A						
17 NCAC 04B .0311	N/A		13-08 NCR 690		N/A						
17 NCAC 04B .0312	N/A		13-08 NCR 690		N/A						
17 NCAC 04B .0403	N/A		13-08 NCR 690		N/A						
17 NCAC 04B .0405	N/A		13-08 NCR 690		N/A						
17 NCAC 04B .2902	N/A		13-08 NCR 690		N/A						
17 NCAC 04B .4301	N/A		13-08 NCR 690		N/A						
17 NCAC 04B .4302	N/A		13-08 NCR 690		N/A						
17 NCAC 04E .0102	N/A		13-08 NCR 690		N/A						
17 NCAC 04E .0103	N/A		13-08 NCR 690		N/A						
17 NCAC 04E .0201	N/A		13-08 NCR 690		N/A						
17 NCAC 04E .0202	N/A		13-08 NCR 690		N/A						
17 NCAC 04E .0203	N/A		13-08 NCR 690		N/A						
17 NCAC 04E .0302	N/A		13-08 NCR 690		N/A						
17 NCAC 04E .0703	N/A		13-08 NCR 690		N/A						
17 NCAC 04F .0005	N/A		13-08 NCR 690		N/A						
17 NCAC 05C .0102			12-14 NCR 1285	*							
17 NCAC 05C .0703			12-14 NCR 1285	*							
17 NCAC 06B .0105	N/A		13-08 NCR 694		N/A						
17 NCAC 06B .0118	N/A		13-09 NCR 762		N/A	Object	12/17/98				
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					Action	Date				
17 NCAC 07B .0124	N/A		13:08 NCR 695	N/A	Approve	04/15/99	*		14:02 NCR 84	
17 NCAC 07B .0125	N/A		13:08 NCR 695	N/A						
17 NCAC 07B .2101	N/A		13:09 NCR 767	N/A						
17 NCAC 09K .0601	N/A		13:08 NCR 695	N/A						
SECRETARY OF STATE										
18 NCAC 06 .1212		13:14 NCR 1151								
18 NCAC 06 .1304		14:08 NCR 645	14:08 NCR 645	*						
18 NCAC 06 .1502		13:14 NCR 1151	14:08 NCR 645	*						
18 NCAC 06 .1802		14:08 NCR 645	14:08 NCR 645	*						
18 NCAC 06 .1803		12:07 NCR 534	12:14 NCR 1312	*						
18 NCAC 10 .0101	13:09 NCR 759	Temp Expired 06/28/98								
18 NCAC 10 .0201	13:09 NCR 759	Temp Expired 06/28/98								
18 NCAC 10 .0301	13:09 NCR 759	13:14 NCR 1153								
18 NCAC 10 .0302	13:09 NCR 759	13:18 NCR 1556								
18 NCAC 10 .0303	13:09 NCR 759	13:14 NCR 1153								
18 NCAC 10 .0304	13:09 NCR 759	13:18 NCR 1556								
18 NCAC 10 .0305	13:09 NCR 759	13:14 NCR 1153								
18 NCAC 10 .0306		13:18 NCR 1556								
18 NCAC 10 .0307		13:18 NCR 1556								
18 NCAC 10 .0401	13:09 NCR 759	13:14 NCR 1153								
18 NCAC 10 .0402	13:09 NCR 759	13:18 NCR 1556								
18 NCAC 10 .0501	13:09 NCR 759	13:14 NCR 1153								
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SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGIST, BOARD OF EXAMINERS

21 NCAC 64 .0303 11:23 NCR 1780

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STATE PERSONNEL COMMISSION

25 NCAC 01B .0354	13:05 NCR 436		13:09 NCR 773	*						
25 NCAC 01B .0414		13:18 NCR 1560	13:22 NCR 1850	*						
25 NCAC 01B .0434		13:18 NCR 1560	13:22 NCR 1850	*						
25 NCAC 01B .0437	13:05 NCR 436		13:09 NCR 773	*						
25 NCAC 01C .0214		13:18 NCR 1560	13:22 NCR 1850	*						
25 NCAC 01D .2516		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*						
25 NCAC 01D .2517		12:09 NCR 835	Temp Expired 07/31/98							
25 NCAC 01H .0602	13:05 NCR 436		13:09 NCR 773	*						
25 NCAC 01H .0605	13:05 NCR 436		13:09 NCR 773	*						
25 NCAC 01H .0606	13:05 NCR 436		13:09 NCR 773	*						
25 NCAC 01J .0503	13:05 NCR 436		13:09 NCR 773	*						
25 NCAC 01J .0506		13:18 NCR 1560	13:22 NCR 1850	*						
25 NCAC 01J .0512	13:05 NCR 436		13:09 NCR 773	*						
25 NCAC 01J .0603	13:05 NCR 436		13:09 NCR 773	*						
25 NCAC 01J .0603		13:18 NCR 1560	13:22 NCR 1850	*						

TRANSPORTATION

Highways, Division of

19A NCAC 02D .0415	13:08 NCR 626		13:14 NCR 1116	*	Approve	04/15/99			14:02 NCR 84	
19A NCAC 02E .0201	14:03 NCR 126									
19A NCAC 02E .0202	14:03 NCR 126									
19A NCAC 02E .0203	14:03 NCR 126									
19A NCAC 02E .0206	14:03 NCR 126									
19A NCAC 02E .0207	14:03 NCR 126									
19A NCAC 02E .0208	14:03 NCR 126									
19A NCAC 02E .0209	14:03 NCR 126									

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19A NCAC 02E .0210	14:03 NCR 126									
19A NCAC 02E .0211	14:03 NCR 126									
19A NCAC 02E .0212	14:03 NCR 126									
19A NCAC 02E .0213	14:03 NCR 126									
19A NCAC 02E .0214	14:03 NCR 126									
19A NCAC 02E .0215	14:03 NCR 126									
19A NCAC 02E .0221	13:04 NCR 361		13:10 NCR 811	*	Approve	03/18/99	*		14:01 NCR 48	
19A NCAC 02E .0222	13:04 NCR 361		13:10 NCR 811	*	Approve	03/18/99			14:01 NCR 48	
19A NCAC 02E .0224	14:03 NCR 126									
19A NCAC 02E .0225	14:03 NCR 126									
19A NCAC 02E .0602	14:03 NCR 126									
19A NCAC 02E .0603	14:03 NCR 126									
19A NCAC 02E .0604	14:03 NCR 126									
Motor Vehicles, Division of										
19A NCAC 03G .0203	14:07 NCR 520									
19A NCAC 03G .0205	14:07 NCR 520									
19A NCAC 03G .0206	14:07 NCR 520									
19A NCAC 03G .0207	14:07 NCR 520									
19A NCAC 03G .0209	14:07 NCR 520									
19A NCAC 03G .0213	14:07 NCR 520									
19A NCAC 031 .0100	11:19 NCR 1413									
19A NCAC 031 .0200	11:19 NCR 1413									
19A NCAC 031 .0207	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031 .0300	11:19 NCR 1413									
19A NCAC 031 .0301	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031 .0302	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031 .0307	13:16 NCR 1258		13:22 NCR 1843	*	Object Approve	07/15/99 08/19/99	*			

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19A NCAC 031.0400	11:19 NCR 1413									
19A NCAC 031.0401	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031.0402	13:16 NCR 1258		13:22 NCR 1843	*	Object Approve	07/15/99 08/19/99	*			
19A NCAC 031.0500	11:19 NCR 1413									
19A NCAC 031.0501	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031.0600	11:19 NCR 1413									
19A NCAC 031.0601	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031.0700	11:19 NCR 1413									
19A NCAC 031.0701	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031.0800	11:19 NCR 1413									
19A NCAC 031.0804	13:16 NCR 1258		13:22 NCR 1843	*	Object Approve	07/15/99 08/19/99	*			

VETERINARY MEDICAL BOARD

21 NCAC 66.0207	12:23 NCR 2089
21 NCAC 66.0208	12:23 NCR 2089

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